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Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Report of the Third Committee*

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I. Introduction

1. At its 3rd plenary meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-sixth session the item entitled "Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms" and to allocate it to the Third Committee.

2. The Third Committee held a substantive debate on sub-item (b) jointly with sub-items (c), (d) and (e) at its 31st and 33rd to 42nd meetings, on 8, 9, and from 12 to 16 November 2001, and took up proposals relating to sub-item (b) at its 45th, 49th to 53rd and 55th meetings, on 20 and from 26 to 30 November. An account of the Committee's discussion is contained in the relevant summary records (A/C.3/56/SR.33-42, 45, 49-53 and 55).

3. For the documents before the Committee under this sub-item, see A/56/583.

4. At the 31st meeting, on 6 November, the United Nations High Commissioner for Human Rights made an introductory statement. The Committee then engaged in a dialogue with the High Commissioner in which the representatives of the Russian Federation, Belgium (on behalf of the States Members of the United Nations that are members of the European Union), Croatia, the Libyan Arab Jamahiriya, Egypt, Cuba, Morocco, Suriname, the Sudan, Mexico, India and Rwanda took part (see A/C.3/56/SR.31).

* The report of the Committee on this item will be issued in six parts, under the symbol A/56/583 and Add.1-5.

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5. At the 33rd meeting, on 8 November, the Director of the New York Office of the United Nations High Commissioner for Human Rights made an introductory statement (see A/C.3/56/SR.33).

6. At the same meeting, the Special Rapporteur of the Commission on Human Rights on the question of torture and other cruel, inhuman or degrading treatment or punishment made an introductory statement. The Committee then engaged in a dialogue with the Special Rapporteur, in which the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Union), Liechtenstein, Singapore, Australia and Senegal took part (see A/C.3/56/SR.33).

7. At the 36th meeting, on 9 November, the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief made an introductory statement. The Committee engaged in a dialogue with the Special Rapporteur, in which the representatives of Tunisia, Belgium (on behalf of the States Members of the United Nations that are members of the European Union), Spain, the Libyan Arab Jamahiriya, Senegal and Viet Nam took part (see A/C.3/56/SR.36).

8. At the same meeting, the Special Rapporteur of the Commission on Human Rights on the right to food made an introductory statement. The Committee engaged in a dialogue with the Special Rapporteur, in which the representatives of the Sudan, the Republic of Korea, the United States of America, Belgium (on behalf of the States Members of the United Nations that are members of the European Union), the Libyan Arab Jamahiriya, Benin, Cuba, the Democratic People's Republic of Korea, the Islamic Republic of Iran and the Syrian Arab Republic took part (see A/C.3/56/SR.36).

9. At the 37th meeting, on 12 November, the representative of the United Nations High Commissioner for Human Rights introduced the report of the Special Representative of the Secretary-General on the protection of and assistance to internally displaced persons. The representative of Algeria made a statement (see A/C.3/56/SR.37).

10. At the same meeting, the Special Representative of the Secretary-General for human rights in Cambodia made an introductory statement. The Committee engaged in a dialogue with the Special Representative, in which the representatives of Cambodia, Belgium (on behalf of the States Members of the United Nations that are members of the European Union) and Viet Nam took part (see A/C.3/56/SR.37).

11. Also at the same meeting, the Special Representative of the Secretary-General on human rights defenders made an introductory statement. The Committee engaged in a dialogue with the Special Representative, in which the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Union), Singapore, Egypt, the Sudan, Cuba and Mexico took part (see A/C.3/56/SR.37).

II. Consideration of proposals

A. Draft resolution A/C.3/56/L.40

12. At the 49th meeting, on 26 November, the representative of Suriname, on behalf of Cameroon, the Democratic Republic of the Congo, Haiti and Suriname, introduced a draft resolution entitled "Human rights education" (A/C.3/56/L.40). Subsequently, Antigua and Barbuda, Bangladesh, Belize, Benin, Burkina Faso, Costa Rica, Dominica, Fiji, Grenada, Kenya, Namibia, the Netherlands, Saint Kitts and Nevis, Saint Lucia, Sierra Leone and Togo joined in sponsoring the draft resolution.

13. At the 52nd meeting, on 29 November, the representative of Suriname orally revised the draft resolution as follows:

(a) In the fourth preambular paragraph, the words "human-rights-based approach towards development" were replaced by the words "human rights education";

(b) In the fifth preambular paragraph, the words "the key to development" were replaced by the words "a key to development";

(c) In operative paragraph 3, the words "regional human rights organizations, agencies and networks (of, inter alia, women, the media, trade unions, entrepreneurs and religious denominations)" were replaced by the words "relevant regional human rights organizations, agencies and networks";

(d) Operative paragraph 4 which read:

> "4. *Encourages* non-governmental organizations to develop and implement strategies to assist Governments to integrate human rights education into levels of education for children, youth and adults and to help monitor those strategies",

was replaced by the following:

> "4. *Recognizes* the role that non-governmental organizations play in developing and implementing strategies to assist Governments to integrate human rights education into levels of education for children, youth and adults".

14. At the same meeting, the representative of the United States of America orally corrected operative paragraph 4 as revised by the representative of Suriname by inserting the word "all" before the word "levels".

15. Before the adoption of the draft resolution, a statement was made by the representative of Haiti; after the adoption of the draft resolution, statements were made by the representatives of Egypt and Suriname (see A/C.3/56/SR.52).

16. Also at its 52nd meeting, the Committee adopted draft resolution A/C.3/56/L.40, as orally revised and corrected, without a vote (see para. 109, draft resolution I).

B. Draft resolution A/C.3/56/L.41

17. At the 45th meeting, on 20 November, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "Human rights and unilateral coercive measures" (A/C.3/56/L.41).

18. At its 50th meeting, on 27 November, the Committee adopted draft resolution A/C.3/56/L.41 by a recorded vote of 94 to 47, with 3 abstentions (see para. 109, draft resolution II). The voting was as follows:[1]

In favour:

Afghanistan, Algeria, Angola, Argentina, Armenia, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Mali, Mauritania, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nicaragua, Nigeria, Oman, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Abstaining:

Azerbaijan, Congo, Kazakhstan.

C. Draft resolution A/C.3/56/L.42 and Rev.1

19. At the 45th meeting, on 20 November, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/56/L.42), which read:

[1] The delegations of Mauritius, Myanmar and Pakistan subsequently indicated that, had they been present, they would have voted in favour. The delegation of the Congo subsequently indicated that it had intended to vote in favour.

"*The General Assembly*,

"*Reaffirming* its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993, for enhancing genuine cooperation among Member States in the field of human rights,

"*Recalling* its resolution 55/109 of 4 December 2000, taking note of Commission on Human Rights resolution 2001/67 of 25 April 2001 on the enhancement of international cooperation in the field of human rights, and recalling also General Assembly resolution 55/23 of 13 November 2000 on the United Nations Year of Dialogue among Civilizations,

"*Recalling* the United Nations Millennium Declaration of 8 September 2000 and the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance of September 2001, and the great contribution that these events have made in the enhancement of international cooperation in the field of human rights,

"*Recalling* its decision to proclaim the year 2001 as the United Nations Year of Dialogue among Civilizations,

"*Recognizing* that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion of dialogue on human rights issues,

"*Reaffirming* that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field,

"*Emphasizing* the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

"*Underlining* the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

"*Recalling* the adoption of resolution 2000/22 of 18 August 2000, entitled 'Promotion of dialogue on human rights issues', by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,

"1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

"2. *Reaffirms also* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and notes in this respect the holding of the Asian Conference on Dialogue among Civilizations in Tehran on 17 February 2001, as well as the first meeting of the

group of eminent persons on a dialogue among civilizations, held in Vienna in December 2000;

"3. *Considers* that international cooperation in this field, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and of fundamental freedoms for all;

"4. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

"5. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

"6. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

"7. *Decides* to continue its consideration of this question at its fifty-seventh session."

20. At its 52nd meeting, on 29 November, the Committee had before it a revised draft resolution entitled "Enhancement of international cooperation in the field of human rights" (A/C.3/56/L.42/Rev.1), submitted by the sponsor of draft resolution A/C.3/56/L.42.

21. Before the adoption of the draft resolution, a statement was made by the representative of South Africa (see A/C.3/56/SR.52).

22. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.42/Rev.1 without a vote (see para. 109, draft resolution III).

D. Draft resolution A/C.3/56/L.43 and Rev.1

23. At the 45th meeting, on 20 November, the representative of South Africa, on behalf of the States Members of the United Nations that are members of the Movement of Non-Aligned Countries and China, introduced a draft resolution entitled "The right to development" (A/C.3/56/L.43), which read:

"*The General Assembly*,

"*Guided* by the Charter of the United Nations, expressing in particular the determination to promote social progress and better standards of life in larger freedom as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

"*Recalling* that the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986 confirmed

that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals, who make up nations,

"*Recalling also* that the outcome of the World Conference on Human Rights, held in Vienna in 1993, the Vienna Declaration and Programme of Action, reaffirmed the right to development as a universal and inalienable right and an integral part of all fundamental human rights,

"*Recalling further* its resolution 52/187 of 18 December 1997 on the implementation of the Programme of Action for the Least Developed Countries for the 1990s and noting that the European Union hosted the Third United Nations Conference on Least Developed Countries in May 2001,

"*Recalling* its resolution 55/245 of 21 March 2001 on the substantive preparatory process and the high-level international intergovernmental event on financing for development, and welcoming the fact that Mexico will host the International Conference on Financing for Development in Monterrey on 18 to 22 March 2002,

"*Taking note* of the three studies prepared by the independent expert on the right to development and his proposed possible approaches to the operationalization of the right to development,

"*Taking note also* of the report of the open-ended working group established to monitor and review progress made in the promotion and implementation of the right to development and of the Chairperson's conclusions on the issue, as well as the comments submitted thereon,

"*Welcoming* the commitment made by the Heads of State and Government in the United Nations Millennium Declaration to make the right to development a reality for everyone and their resolve to create an environment — at the national and global levels alike — which is conducive to development and to the elimination of poverty, and their commitment to spare no effort to promote good governance and democracy and to strengthen the rule of law as well as respect for all universally recognized human rights and fundamental freedoms, including the right to development,

"*Underlining* that meeting the objectives of good governance also depends on good governance at the international level and on transparency in the financial, monetary and trading systems and an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system,

"*Underlining also* the fact that the realization of the right to development requires effective development policies at the national level as well as equitable economic relations and a favourable economic environment at the international level,

"*Underlining further* the important role of the United Nations High Commissioner for Human Rights in the promotion and protection of the right to development,

"*Recalling* the need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

"*Noting* the outcome of the South Summit of the Group of Seventy-Seven held in Havana from 10 to 14 April 2000 relating to the realization of the right to development,

"1. *Welcomes* the holding of two sessions of the Working Group on the Right to Development (18-22 September 2000 and 29 January-2 February 2001), which focused on certain issues, as reflected in the report of the Working Group on the Right to Development, and emphasizes the need to continue deliberations on the right to development in all its aspects, inter alia, on the basis of the report of the Working Group and the Chairperson's conclusions, as well as comments submitted thereon;

"2. *Emphasizes* that on the basis of the text of the Declaration on the Right to Development, several resolutions and declarations adopted by consensus at subsequent international conferences and the Vienna Declaration and Programme of Action, it should now be possible to reach consensus on the full implementation of the right to development;

"3. *Expresses its appreciation* for the reports of the independent expert on the right to development and his additional work on and clarifications of the 'development compact' proposal, which contributed to a better understanding of this proposal, while recognizing that further clarification is still needed;

"4. *Recognizes* that any development compact would be of a voluntary nature for all parties involved and that its content would be defined on a case-by-case basis and be adapted to the priorities and realities of any country willing to conclude such a compact, which would need the adherence and the support of all international actors involved in its implementation;

"5. *Requests* the independent expert to clarify further the proposed development compact, taking into consideration views expressed during the two sessions of the Working Group and in broad consultation with the Office of the United Nations High Commissioner for Human Rights and United Nations funds and programmes, as well as specialized agencies, relevant international and regional organizations, non-governmental organizations and, in particular, those actors and States interested in developing pilot projects in this regard, keeping in mind:

"(a) The ongoing bilateral, regional and multilateral development cooperation programmes;

"(b) The formulation of an operational model for a development compact;

"(c) The views of concerned international organizations and agencies and relevant regional institutions and actors;

"(d) The need to ensure the added value of a development compact to and complementarity with the relevant existing mechanisms;

"(e) The need to address and remedy the national and international dimensions of corruption;

"(f) The need for country-specific studies both from a national and an international perspective;

"6. *Reaffirms* that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and that they are committed to cooperating with each other to that end;

"7. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, and which also places the human person at the centre of development and recognizes that while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

"8. *Recognizes* that, in order to realize the right to development, national action and international cooperation must reinforce each other in a manner that goes beyond the measures for realizing each individual right, and also recognizes that international cooperation for the realization of the right to development should be conducted in a spirit of a partnership, in full respect of all human rights, which are universal, indivisible, interdependent and interrelated;

"9. *Also recognizes* that for many developing countries, the realization of the rights to, inter alia, food, health and education may be important development entry points to the realization of the right to development and that, in this context, the independent expert's concept of a development compact intends to give expression to some basic tenets of the interdependence of all human rights and national ownership of development strategies and development programmes, as well as the importance of international cooperation;

"10. *Further recognizes* the need for a discussion on a suitable permanent follow-up mechanism for the implementation of the right to development in the future, in the Working Group;

"11. *Stresses* the necessity of establishing, at the national level, an enabling legal, political, economic and social environment for the realization of the right to development, and emphasizes the importance of democratic, participatory, transparent and accountable governance, as well as the need for efficient national mechanisms, such as national human rights commissions, to ensure respect for civil, economic, cultural, political and social rights, without any distinction;

"12. *Also stresses* the need to prevent, address and take effective action against corruption, at both the national and international levels, including by establishing a firm legal structure for eradicating corruption, and urges States to take all necessary measures to that end;

"13. *Recognizes* the importance of the role of the State, civil society, free and independent media, national institutions, the private sector and other relevant institutions in the realization of the right to development, and also recognizes a need to continue discussion on this subject;

"14. *Affirms* the role of women in the process of realization of the right to development, including their role as active actors in and beneficiaries of development, and that further actions in this context are needed to ensure the participation of women on equal terms with men in all fields in the realization of the right to development;

"15. *Also affirms* the promotion of gender equality and the empowerment of women as effective means to combat poverty, hunger and disease and to stimulate sustainable development, as well as the importance of equal rights and opportunities for women and men, including property rights for women and their access to bank loans, mortgages and other forms of financial credit, taking into account the best practices of microcredit in different parts of the world;

"16. *Underlines* that in the process of the realization of the right to development, special attention should be given to persons belonging to minorities, whether national, ethnic, religious or linguistic, as well as to persons belonging to vulnerable groups, such as elderly people, indigenous people, persons facing discrimination on multiple grounds, Roma, migrants, persons with disabilities, children and persons infected with human immunodeficiency virus/acquired immunodeficiency syndrome, and that such attention should have a gender perspective;

"17. *Affirms* in this context that attention should also be given to the right to development of children, with special attention to the rights of the girl child;

"18. *Acknowledges* the need to continue discussion on the role of civil society in the realization of the right to development and the role of national institutions in this respect;

"19. *Reaffirms* the need for States to cooperate with each other in ensuring development and eliminating obstacles to development, recognizes the importance of the international community in promoting effective international cooperation for the realization of the right to development, and also recognizes that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level;

"20. *Reiterates* that the gap between developed and developing countries remains unacceptably wide, that developing countries continue to face difficulties in participating in the globalization process, and that many risk being marginalized and effectively excluded from its benefits;

"21. *Recognizes*, while bearing in mind the existing efforts in this respect, that it is necessary to enhance efforts to consider and evaluate the impact on the enjoyment of human rights of international economic and financial issues, such as:

"(a) International trade issues;

"(b) Access to technology;

"(c) Good governance and equity at the international level;

"(d) Debt burden;

"22. *Requests* the independent expert to prepare, in consultation with all relevant United Nations agencies and the Bretton Woods institutions, a preliminary study on the impact of those issues on the enjoyment of human rights, starting by analysing the existing efforts and means of assessing and evaluating such an impact, for consideration by the Working Group at its future sessions;

"23. *Requests* the Office of the High Commissioner, the specialized agencies, funds and programmes, the international financial institutions and other relevant actors to collaborate with the independent expert in the fulfilment of his mandate and encourages further cooperation;

"24. *Requests* the Working Group and the independent expert, to consider, as appropriate, the relevant economic and developmental outcomes of the international conferences, inter alia, the South Summit of the Group of Seventy-Seven held in Havana from 10 to 14 April 2000 and the follow-up thereto, in elaborating their recommendations for the implementation of the right to development;

"25. *Decides* to continue consideration of the issue of the right to development, as a matter of priority, at its fifty-seventh session."

24. At the 53rd meeting, on 30 November, the Committee had before it a revised draft resolution entitled "The right to development" (A/C.3/56/L.43/Rev.1), submitted by the sponsor of draft resolution A/C.3/56/L.43. Subsequently, Costa Rica, Mexico and Uruguay joined in sponsoring the revised draft resolution.

25. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.43/Rev.1 by a recorded vote of 116 to 3, with 42 abstentions (see para. 109, draft resolution IV). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, Chile, China, Colombia, Comoros, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Singapore, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Israel, Japan, United States of America.

Abstaining:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, United Kingdom of Great Britain and Northern Ireland, Yugoslavia.

26. Statements in explanation of vote were made before the vote by the representatives of Algeria, Canada (also on behalf of Australia and New Zealand) and Belgium (on behalf of the States Members of the United Nations that are members of the European Union); a statement in explanation of vote was made after the vote by the representative of the United States of America (see A/C.3/56/SR.53).

27. General statements were made by the representatives of Egypt and Benin (see A/C.3/56/SR.53).

E. Draft resolution A/C.3/56/L.44

28. At the 45th meeting, on 20 November, the representative of Cuba, on behalf of Algeria, Angola, Benin, Botswana, China, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, El Salvador, Ethiopia, Guinea, the Islamic Republic of Iran, Iraq, Jamaica, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Mali, Mauritania, Namibia, Nigeria, Pakistan, the Sudan, Swaziland, the Syrian Arab Republic, the United Republic of Tanzania, Viet Nam and Zambia, introduced a draft resolution entitled "Promotion of a democratic and equitable international order" (A/C.3/56/L.44). Subsequently, Afghanistan, Burkina Faso, Burundi, Cameroon, Cape Verde, the Gambia, Haiti, Kenya, Madagascar, Malaysia, Mozambique and Sierra Leone joined in sponsoring the draft resolution.

29. At its 50th meeting, on 27 November, the Committee adopted draft resolution A/C.3/56/L.44 by a recorded vote of 90 to 48, with 7 abstentions (see para. 109, draft resolution V). The voting was as follows:[2]

In favour:

Afghanistan, Algeria, Angola, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Libyan Arab

[2] The delegations of Myanmar and Pakistan subsequently indicated that, had they been present, they would have voted in favour.

Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Namibia, Nepal, Nigeria, Oman, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Singapore, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Abstaining:

Argentina, Guatemala, Nicaragua, Panama, Paraguay, Peru, South Africa.

30. A statement in explanation of vote was made before the vote by the representative of Belgium, on behalf of the States Members of the United Nations that are members of the European Union (see A/C.3/56/SR.50).

F. Draft resolution A/C.3/56/L.45

31. At the 45th meeting, on 20 November, the representative of Cuba, on behalf of Angola, Belarus, Burkina Faso, China, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Eritrea, Guinea, the Islamic Republic of Iran, Iraq, Jamaica, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Myanmar, Namibia, Nigeria, Pakistan, the Russian Federation, the Sudan, the United Republic of Tanzania and Viet Nam, introduced a draft resolution entitled "Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character" (A/C.3/56/L.45). Subsequently, Afghanistan, Cameroon, Benin, Ethiopia, Haiti, Kenya, Mali, Mozambique and Somalia joined in sponsoring the draft resolution.

32. At the 50th meeting, on 27 November, a statement was made by the representative of Cuba (see A/C.3/56/SR.50).

33. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.45 by a recorded vote of 86 to 48, with 17 abstentions (see para. 109, draft resolution VI). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic,

Ecuador, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Sierra Leone, Sri Lanka, Sudan, Swaziland, Syrian Arab Republic, Togo, Trinidad and Tobago, Tunisia, Uganda, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Armenia, Australia, Austria, Belgium, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Micronesia (Federated States of), Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Samoa, San Marino, Slovakia, Slovenia, Spain, Sweden, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Abstaining:

Argentina, Brazil, Chile, Georgia, Guatemala, Madagascar, Malawi, Nicaragua, Panama, Paraguay, Peru Philippines, Singapore, South Africa, Suriname, Thailand, Uruguay.

34. Statements in explanation of vote were made before the vote by the representatives of Canada, New Zealand, Belgium (on behalf of the States Members of the United Nations that are members of the European Union), Norway and Australia; a statement in explanation of vote was made after the vote by the representative of the United States of America (see A/C.3/56/SR.50).

35. A general statement was made by the representative of Cuba (see A/C.3/56/SR.50).

G. Draft resolution A/C.3/56/L.46

36. At the 45th meeting, on 20 November, the representative of Cuba, on behalf of Angola, Bangladesh, Benin, Burkina Faso, Burundi, Cambodia, Chad, China, the Congo, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Egypt, El Salvador, Ethiopia, Indonesia, the Islamic Republic of Iran, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mauritius, Myanmar, Namibia, Nigeria, Peru, South Africa, the Sudan, Suriname, the Syrian Arab Republic, the United Republic of Tanzania, Viet Nam, Yemen, Zambia and Zimbabwe, introduced a draft resolution entitled "Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity" (A/C.3/56/L.46). Subsequently, Algeria, Cameroon, Colombia, Eritrea, Haiti, Kenya, Mozambique and Tunisia joined in sponsoring the draft resolution.

37. At its 50th meeting, on 27 November, the Committee adopted draft resolution A/C.3/56/L.46 without a vote (see para. 109, draft resolution VII).

H. Draft resolution A/C.3/56/L.47

38. At the 45th meeting, on 20 November, the representative of Cuba, on behalf of Angola, China, Cuba, the Democratic People's Republic of Korea, the Democratic Republic of the Congo, Ethiopia, the Islamic Republic of Iran, Iraq, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Malaysia, Mali, Myanmar, Namibia, Pakistan, the Sudan, the Syrian Arab Republic, the United Republic of Tanzania and Viet Nam, introduced a draft resolution entitled "Respect for the principles of national sovereignty and non-interference in the internal affairs of States in electoral processes as an important element for the promotion and protection of human rights" (A/C.3/56/L.47). Subsequently, Cameroon, the Gambia, Ghana, Haiti, Mauritania and Somalia joined in sponsoring the draft resolution.

39. At the 50th meeting, on 27 November, the representative of Cuba orally revised the draft resolution by replacing operative paragraph 4, which read:

> "4. *Also reaffirms* the importance of respecting the free development of national electoral processes, and the need to avoid any act that is intended to sway the results of such processes, by virtue of the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations",

with the following text:

> "4. *Also reaffirms* that free development of the national electoral process in each State should be fully honoured in a manner that fully respects the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations".

40. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.47, as orally revised, by a recorded vote of 87 to 8, with 53 abstentions (see para. 109, draft resolution VIII). The voting was as follows:[3]

In favour:

> Afghanistan, Algeria, Angola, Bahamas, Bahrain, Bangladesh, Barbados, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, China, Colombia, Congo, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Ecuador, Egypt, Eritrea, Ethiopia, Gambia, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Jordan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nigeria, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Saint Lucia, Saudi Arabia, Sierra Leone, Singapore, Sri

[3] The representative of Togo subsequently informed the Committee that his delegation had intended to vote in favour.

Lanka, Sudan, Swaziland, Syrian Arab Republic, Thailand, Trinidad and Tobago, Tunisia, United Arab Emirates, United Republic of Tanzania, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Argentina, Australia, Canada, Chile, Israel, New Zealand, Norway, United States of America.

Abstaining:

Andorra, Armenia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Dominican Republic, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, Nicaragua, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, the former Yugoslav Republic of Macedonia, Togo, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Yugoslavia.

41. A statement in explanation of vote was made before the vote by the representative of the United States of America; a statement in explanation of vote was made after the vote by the representative of Japan (see A/C.3/56/SR.50).

I. Draft resolution A/C.3/56/L.48

42. At the 45th meeting, on 20 November, the representative of Cuba, on behalf of Algeria, Angola, Antigua and Barbuda, Bangladesh, Belarus, Benin, Bolivia, Botswana, Burkina Faso, Burundi, Cambodia, Cameroon, Cape Verde, Chad, China, the Comoros, the Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, the Gambia, Ghana, Greece, Guatemala, Guinea, Haiti, India, Indonesia, the Islamic Republic of Iran, Iraq, Ireland, Italy, Kenya, the Lao People's Democratic Republic, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Mexico, Mozambique, Namibia, Nepal, Nigeria, Pakistan, Peru, the Philippines, Portugal, the Russian Federation, Rwanda, Saint Lucia, Senegal, South Africa, Spain, the Sudan, Swaziland, the Syrian Arab Republic, Thailand, Togo, Tunisia, Turkey, the United Republic of Tanzania, Venezuela, Viet Nam, Zambia and Zimbabwe, introduced a draft resolution entitled "The right to food" (A/C.3/56/L.48). Subsequently, Bhutan, Djibouti, Germany, Honduras, Japan, Malawi, Malta, Mauritius, Myanmar, Nicaragua, Norway, the Niger, Sierra Leone, Somalia and Sri Lanka joined in sponsoring the draft resolution.

43. At the 50th meeting, on 27 November, the Secretary of the Committee read out a statement in connection with the draft resolution (see A/C.3/56/SR.50).

44. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.48 by a recorded vote of 146 to 2, with 2 abstentions (see para. 109, draft resolution IX). The voting was as follows:[4]

[4] The representative of Trinidad and Tobago announced that, had she been present, she would have voted in favour.

In favour:

Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Chile, China, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Democratic People's Republic of Korea, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, San Marino, Saudi Arabia, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay, Venezuela, Viet Nam, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against:

Israel, United States of America.

Abstaining:

Australia, New Zealand.

45. A statement in explanation of vote was made before the vote by the representative of the Democratic People's Republic of Korea; statements in explanation of vote were made after the vote by the representatives of the United States of America and New Zealand (also on behalf of Australia) (see A/C.3/56/SR.50).

46. A general statement was made by the representative of Cuba (see A/C.3/56/SR.50)

J. Draft resolution A/C.3/56/L.49

47. At the 45th meeting, on 20 November, the representative of the Islamic Republic of Iran, on behalf of Afghanistan, Azerbaijan, Bahrain, Benin, Bosnia and Herzegovina, Burkina Faso, Chad, China, Cuba, the Democratic Republic of the Congo, Egypt, El Salvador, India, Indonesia, the Islamic Republic of Iran, Kenya, Malaysia, Morocco, Myanmar, Nigeria, Oman, Pakistan, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic and the United Arab Emirates, introduced a draft resolution entitled "Human rights and cultural diversity" (A/C.3/56/L.49). Subsequently, Bangladesh, Cambodia, Cameroon, the Comoros, the Dominican Republic, Guinea, Haiti, the Libyan Arab Jamahiriya, Madagascar, Mauritania,

Senegal, Sierra Leone, Somalia, Suriname, Thailand, Togo and the United Republic of Tanzania joined in sponsoring the draft resolution.

48. At the 52nd meeting, on 29 November, the representative of the Islamic Republic of Iran orally revised the draft resolution as follows:

(a) The sixth preambular paragraph, which read:

"*Welcoming also* the outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance",

was replaced by the following text:

"*Welcoming* the contribution made through the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held at Durban, South Africa, from 31 August to 7 September 2001, to the promotion of respect for cultural diversity";

(b) In operative paragraph 6, the words "recognition by the World Conference" were replaced by the words "recognition at the World Conference".

49. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.49, as orally revised, without a vote (see para. 109, draft resolution X).

50. After the adoption of the draft resolution, statements were made by the representatives of Chile and Canada (see A/C.3/56/SR.52).

K. Draft resolution A/C.3/56/L.51

51. At the 49th meeting, on 26 November, the representative of Ireland, on behalf of Algeria, Andorra, Argentina, Australia, Austria, Azerbaijan, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Canada, Chile, Costa Rica, Croatia, Cuba, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Ecuador, El Salvador, Estonia, Ethiopia, Finland, France, Germany, Greece, Guatemala, Haiti, Hungary, Iceland, India, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, the Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, the Republic of Korea, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Venezuela, introduced a draft resolution entitled "Elimination of all forms of religious intolerance" (A/C.3/56/L.51). Subsequently, Afghanistan, Armenia, Côte d'Ivoire, Eritrea, Georgia, Honduras, Madagascar, Malawi, Nicaragua, the Philippines, the Republic of Moldova, Sierra Leone, South Africa, Suriname and Uruguay joined in sponsoring the draft resolution.

52. At the 50th meeting, on 27 November, the Secretary of the Committee read out a statement in connection with the draft resolution (see A/C.3/56/SR.50).

53. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.51 without a vote (see para. 109, draft resolution XI).

L. Draft resolution A/C.3/56/L.52

54. At the 49th meeting, on 26 November, the representative of India, on behalf of Argentina, Australia, Bolivia, Brazil, Germany, Greece, India, Indonesia, Kenya, Malaysia, Mexico, Morocco, Nepal, New Zealand, Norway, Portugal, the Republic of Korea, Senegal, Spain, Sri Lanka, Thailand, the United Kingdom of Great Britain and Northern Ireland and the United Republic of Tanzania, introduced a draft resolution entitled "National institutions for the promotion and protection of human rights" (A/C.3/56/L.52). Subsequently, Afghanistan, Bangladesh, Benin, Cameroon, Canada, Chile, Colombia, Croatia, Cyprus, Denmark, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Ethiopia, Georgia, Guyana, Honduras, Hungary, Ireland, Italy, Madagascar, Malawi, Malta, Mauritius, Mongolia, Nigeria, Panama, the Philippines, the Republic of Moldova, Romania, the Russian Federation, Rwanda, Sierra Leone, Slovakia, Slovenia, Suriname, Tunisia, Turkey, Ukraine, Venezuela and Zambia joined in sponsoring the draft resolution.

55. At its 50th meeting, on 27 November, the Committee adopted draft resolution A/C.3/56/L.52 without a vote (see para. 109, draft resolution XII).

M. Draft resolution A/C.3/56/L.53

56. At the 50th meeting, on 27 November, the representative of the United States of America, on behalf of Andorra, Argentina, Armenia, Australia, Austria, Belgium, Benin, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, Denmark, El Salvador, Finland, France, Germany, Greece, Hungary, Iceland, India, Ireland, Israel, Italy, Japan, Liechtenstein, Luxembourg, Mali, Malta, Mexico, Monaco, the Netherlands, New Zealand, Norway, Panama, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Senegal, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Togo, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Zambia, introduced a draft resolution entitled "Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization" (A/C.3/56/L.53). Subsequently, Afghanistan, Azerbaijan, Bangladesh, Belarus, Bolivia, Bosnia and Herzegovina, Burundi, Cameroon, Cape Verde, Colombia, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, Fiji, Guatemala, Georgia, Ghana, Guyana, Honduras, Kazakhstan, Kenya, Lithuania, Madagascar, Malawi, Micronesia (Federated States of), Nicaragua, Nigeria, the Republic of Moldova, Sierra Leone, the United Republic of Tanzania and Uruguay joined in sponsoring the draft resolution.

57. At its 51st meeting, on 28 November, the Committee adopted draft resolution A/C.3/56/L.53 by a recorded vote of 146 to none, with 6 abstentions (see para. 109, draft resolution XIII). The voting was as follows:[5]

In favour:

Afghanistan, Algeria, Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana,

[5] The delegation of the Syrian Arab Republic indicated that it had intended to abstain.

Brazil, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Chile, Colombia, Congo, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gambia, Georgia, Germany, Ghana, Greece, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Italy, Jamaica, Japan, Jordan, Kazakhstan, Kenya, Kuwait, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, San Marino, Senegal, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Syrian Arab Republic, Thailand, the former Yugoslav Republic of Macedonia, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Brunei Darussalam, China, Cuba, Libyan Arab Jamahiriya, Myanmar, Viet Nam.

58. A statement in explanation of vote was made before the vote by the representative of Cuba (see A/C.3/56/SR.51).

59. A statement was made by the representative of Poland, on behalf also of Chile, the Czech Republic, India, Mali, Mexico, Portugal, the Republic of Korea, South Africa and the United States of America (see A/C.3/56/SR.51).

N. Draft resolution A/C.3/56/L.59

60. At the 50th meeting, on 27 November, the representative of Algeria, on behalf of Afghanistan, Algeria, Azerbaijan, Cuba, Egypt, Georgia, India, Malaysia, Pakistan, Peru, the Philippines, the Russian Federation, Sri Lanka, the Sudan and Turkey, introduced a draft resolution entitled "Human rights and terrorism" (A/C.3/56/L.59). Subsequently, Colombia, Costa Rica, the Democratic Republic of the Congo, Ecuador, El Salvador, Guatemala, Kazakhstan, Kenya, Madagascar, Mauritania and Suriname joined in sponsoring the draft resolution.

61. At its 55th meeting, on 30 November, the Committee adopted draft resolution A/C.3/56/L.59 by a recorded vote of 84 to none, with 64 abstentions (see para. 109, draft resolution XIV). The voting was as follows:

In favour:

Afghanistan, Algeria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cape Verde, China, Colombia, Costa Rica, Côte

d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Ethiopia, Georgia, Ghana, Guatemala, Guinea, Guyana, Haiti, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Oman, Pakistan, Panama, Paraguay, Peru, Philippines, Qatar, Russian Federation, Saint Lucia, Saudi Arabia, Senegal, Singapore, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Tunisia, Turkey, Ukraine, United Arab Emirates, United Republic of Tanzania, Uruguay, Viet Nam, Yemen, Zimbabwe.

Against:

None.

Abstaining:

Andorra, Argentina, Armenia, Australia, Austria, Belgium, Benin, Bosnia and Herzegovina, Bulgaria, Cameroon, Canada, Chile, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Fiji, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Marshall Islands, Monaco, Micronesia (Federated States of), Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Papua New Guinea, Poland, Portugal, Republic of Korea, Romania, Samoa, San Marino, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Togo, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Venezuela, Yugoslavia.

62. Before the adoption of the draft resolution, statements were made by the representatives of Egypt, Algeria, the Russian Federation, Turkey, India, Peru and Mauritania; after the adoption of the draft resolution, a statement was made by the representative of Benin (see A/C.3/56/SR.55).

63. Statements in explanation of vote were made before the vote by the representatives of the United States of America, Chile, Canada, Belgium (on behalf of the States Members of the United Nations that are members of the European Union) and Argentina; statements in explanation of vote were made after the vote by the representatives of the Syrian Arab Republic, Liechtenstein and Japan (see A/C.3/56/SR.55).

O. Draft resolution A/C.3/56/L.60

64. At the 50th meeting, on 27 November, the representative of Austria, on behalf of Andorra, Angola, Argentina, Armenia, Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Chile, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Ethiopia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Panama, Paraguay, the Philippines, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and

Yugoslavia, introduced a draft resolution entitled "Human rights in the administration of justice" (A/C.3/56/L.60). Subsequently, Afghanistan, Benin, Belarus, Cameroon, the Dominican Republic, El Salvador, Eritrea, Ghana, Honduras, Iceland, the Republic of Moldova, Nicaragua, Nigeria, Senegal, Sierra Leone and Suriname joined in sponsoring the draft resolution.

65. At the same meeting, the representative of Austria orally revised the draft resolution as follows:

(a) Operative paragraph 10, which read:

"10. *Commends* the Office of the United Nations High Commissioner for Human Rights for its work on the development of a human rights manual for judges, prosecutors and lawyers in the framework of the Decade for Human Rights Education (1995-2004), and encourages the Office to continue organizing training courses and other relevant activities aimed at strengthening national legal systems and enhancing the promotion and protection of human rights in the field of administration of justice",

was replaced by the following:

"10. *Encourages* the Office of the High Commissioner for Human Rights to continue organizing training courses and other relevant activities aimed at enhancing the promotion and protection of human rights in the field of administration of justice, and commends the Office for its work on the development of a human rights manual for judges, prosecutors and lawyers in the framework of the Decade for Human Rights Education (1995-2004)";

(b) In operative paragraph 11, the words "monitoring activities" were replaced by the word "activities".

66. At its 51st meeting, on 28 November, the Committee adopted draft resolution A/C.3/56/L.60, as orally revised, without a vote (see para. 109, draft resolution XV).

67. After the adoption of the draft resolution, a statement was made by the representative of the United States of America (see A/C.3/56/SR.51).

P. Draft resolution A/C.3/56/L.61

68. At the 50th meeting, on 27 November, the representative of Austria, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Cape Verde, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Ethiopia, Finland, Georgia, Greece, Guatemala, Hungary, Italy, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, the Netherlands, Norway, Panama, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Slovakia, Slovenia, South Africa, Spain, the Sudan, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, introduced a draft resolution entitled "Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities" (A/C.3/56/L.61). Subsequently, Belarus, Benin, Bolivia, El Salvador, Eritrea, Honduras, Iceland, Kenya, Mauritius, the Republic of Moldova, Nigeria and Suriname joined in sponsoring the draft resolution.

69. At the same meeting, the representative of Austria orally revised the draft resolution as follows:

(a) In the fourth preambular paragraph, the words "can also" were inserted before the words "contribute significantly";

(b) In the fifth preambular paragraph, the words "an inclusive society and" were inserted before the words "understanding of and tolerance towards";

(c) In operative paragraph 7, after the words "religious sites", the words "places and shrines" were deleted;

(d) In operative paragraph 9, the words "dialogue with Governments concerned for that purpose, and welcomes in this regard the issuance of" were replaced by the words "dialogue with Governments for that purpose, and in this regard draws attention to the work on".

70. At its 51st meeting, on 28 November, the Committee adopted draft resolution A/C.3/56/L.61, as orally revised, without a vote (see para. 109, draft resolution XVI).

Q. Draft resolution A/C.3/56/L.62

71. At the 51st meeting, on 28 November, the representative of Norway, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Belgium, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Canada, Chile, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malta, Mexico, Monaco, Morocco, Nepal, the Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, the Republic of Korea, the Republic of Moldova, Romania, San Marino, Senegal, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America, Venezuela and Yugoslavia, introduced a draft resolution entitled "Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms" (A/C.3/56/L.62). Subsequently, Benin, Cambodia, Colombia, the Dominican Republic, Honduras, Kenya, Lesotho, Mali, Mauritius, Sierra Leone, Suriname and Tunisia joined in sponsoring the draft resolution.

72. At the same meeting, the representative of Norway orally revised the third preambular paragraph of the draft resolution by deleting the words "as well as misuse of civil and criminal proceedings" after the words "harassment and security".

73. At its 52nd meeting, on 29 November, the Committee adopted draft resolution A/C.3/56/L.62, as orally revised, without a vote (see para. 109, draft resolution XVII).

74. After the adoption of the draft resolution, statements were made by the representatives of the Syrian Arab Republic and India (see A/C.3/56/SR.52).

R. Draft resolution A/C.3/56/L.63

75. At the 50th meeting, on 27 November, the representative of Norway, on behalf of Andorra, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Canada, Chile, Colombia, Costa Rica, Croatia, Cyprus, the Czech Republic, Denmark, Finland, France, Georgia, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, the Republic of Moldova, San Marino, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United States of America and Yugoslavia, introduced a draft resolution entitled "Protection of and assistance to internally displaced persons" (A/C.3/56/L.63). Subsequently, Afghanistan, Benin, Burundi, the Dominican Republic, Ecuador, El Salvador, Honduras, the Marshall Islands, Mauritius, Mozambique, Nicaragua and Suriname joined in sponsoring the draft resolution.

76. At the 51st meeting, on 28 November, following statements by the representatives of the Sudan, Norway, the Libyan Arab Jamahiriya, India and Djibouti, the Committee decided to defer action on the draft resolution (see A/C.3/56/SR.51).

77. At the 52nd meeting, on 29 November, the representative of Norway orally revised operative paragraph 14 of the draft resolution by replacing the words "*Also welcomes*" with the word "*Notes*".

78. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.63, as orally revised, without a vote (see para. 109, draft resolution XVIII).

79. Before the adoption of the draft resolution, a statement was made by the representative of Egypt (see A/C.3/56/SR.52).

S. Draft resolution A/C.3/56/L.64

80. At the 51st meeting, on 28 November, the representative of Egypt, on behalf of Afghanistan, Algeria, Angola, Azerbaijan, Bangladesh, Benin, Bhutan, Botswana, Burkina Faso, Cameroon, China, Côte d'Ivoire, Cuba, the Democratic Republic of the Congo, Djibouti, Egypt, Eritrea, Ethiopia, Ghana, Guyana, Indonesia, the Islamic Republic of Iran, the Libyan Arab Jamahiriya, Madagascar, Malaysia, Mali, Mauritania, Morocco, Myanmar, Namibia, the Niger, Nigeria, Pakistan, Saint Lucia, the Sudan, Suriname, Swaziland, the Syrian Arab Republic, Togo, Uganda, the United Republic of Tanzania, Viet Nam and Zambia, introduced a draft resolution entitled "Globalization and its impact on the full enjoyment of all human rights" (A/C.3/56/L.64). Subsequently, Jordan, Kenya, Lesotho, Malawi, Mauritius, Mozambique, Sierra Leone, Somalia and South Africa joined in sponsoring the draft resolution.

81. At its 53rd meeting, on 30 November, following a statement by the representative of Egypt (see A/C.3/56/SR.53), the Committee adopted draft resolution A/C.3/56/L.64 by a recorded vote of 109 to 44, with 10 abstentions (see para. 109, draft resolution XIX). The voting was as follows:

In favour:

Afghanistan, Algeria, Angola, Antigua and Barbuda, Argentina, Armenia, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belize, Benin, Bhutan, Bolivia, Botswana, Brazil, Brunei Darussalam, Burkina Faso, Cambodia, Cameroon, Cape Verde, China, Comoros, Congo, Costa Rica, Côte d'Ivoire, Cuba, Democratic People's Republic of Korea, Democratic Republic of the Congo, Djibouti, Dominican Republic, Ecuador, Egypt, El Salvador, Eritrea, Ethiopia, Fiji, Gambia, Ghana, Guinea, Guyana, Haiti, Honduras, India, Indonesia, Iran (Islamic Republic of), Jamaica, Jordan, Kazakhstan, Kenya, Kuwait, Lao People's Democratic Republic, Lebanon, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Malaysia, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Mozambique, Myanmar, Namibia, Nepal, Nicaragua, Nigeria, Oman, Pakistan, Papua New Guinea, Paraguay, Philippines, Qatar, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, Samoa, Saudi Arabia, Senegal, Sierra Leone, Solomon Islands, South Africa, Sri Lanka, Sudan, Suriname, Swaziland, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Uruguay, Vanuatu, Venezuela, Viet Nam, Yemen, Zambia, Zimbabwe.

Against:

Andorra, Australia, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Republic of Moldova, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Yugoslavia.

Abstaining:

Chile, Colombia, Croatia, Guatemala, Micronesia (Federated States of), Panama, Peru, Republic of Korea, Singapore, the former Yugoslav Republic of Macedonia.

82. A statement in explanation of vote was made before the vote by the representative of Belgium, on behalf of the States Members of the United Nations that are members of the European Union; statements in explanation of vote were made after the vote by the representatives of Canada (on behalf also of Australia, New Zealand, Norway, Iceland and Liechtenstein) and the United States of America (see A/C.3/56/SR.53).

83. After the adoption of the draft resolution, statements were made by the representatives of Egypt, Benin, the Libyan Arab Jamahiriya and the Sudan (see A/C.3/56/SR.53).

T. Draft resolution A/C.3/56/L.65

84. At the 51st meeting, on 28 November, the representative of Canada, on behalf of Afghanistan, Argentina, Australia, Austria, Belgium, Cameroon, Canada, Chile, Costa Rica, Cyprus, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, the Philippines, Poland, Portugal,

the Republic of Korea, South Africa, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Human rights and mass exoduses" (A/C.3/56/L.65). Subsequently, Cape Verde, Croatia, Benin, Georgia, the Russian Federation and Sierra Leone joined in sponsoring the draft resolution.

85. At the 52nd meeting, on 29 November, the representative of Canada orally revised operative paragraph 8 of the draft resolution by replacing the words "to afford prompt and unhindered access" with the words "to ensure prompt and unhindered access".

86. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.65, as orally revised, without a vote (see para. 109, draft resolution XX).

U. Draft resolution A/C.3/56/L.66

87. At the 49th meeting, on 26 November, the representative of Australia, on behalf of Afghanistan, Andorra, Argentina, Armenia, Australia, Austria, Azerbaijan, Bangladesh, Belarus, Belize, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Burkina Faso, Cameroon, Canada, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, the Czech Republic, Denmark, the Dominican Republic, Djibouti, Ecuador, El Salvador, Ethiopia, Fiji, Finland, Greece, Guatemala, Haiti, Hungary, India, Indonesia, Ireland, Israel, Italy, Japan, Kenya, Latvia, Lesotho, Madagascar, Malawi, Mali, Malta, Mexico, Monaco, Mongolia, Morocco, Mozambique, Namibia, the Netherlands, New Zealand, Norway, Panama, Peru, the Philippines, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Senegal, Sierra Leone, Slovenia, Spain, Suriname, Swaziland, Thailand, the former Yugoslav Republic of Macedonia, Turkey, Ukraine and Yugoslavia, introduced a draft resolution entitled "United Nations Decade for Human Rights Education" (A/C.3/56/L.66). Subsequently, Benin, Burundi, Cambodia, Cape Verde, the Democratic Republic of the Congo, Eritrea, France, Ghana, Guinea, Honduras, Kazakhstan, Micronesia (Federated States of), Myanmar, Nepal, Nicaragua, the Niger, Paraguay, the Republic of Moldova, Rwanda, Slovakia, Somalia, South Africa, Togo, Tunisia, Uganda, the United Republic of Tanzania, Uruguay, Venezuela and Zambia joined in sponsoring the draft resolution.

88. At the 50th meeting, on 27 November, the representative of Australia orally revised the draft resolution as follows:

(a) The tenth preambular paragraph, which read:

"*Recalling* the discussions at the World Conference on Racism, Racial Discrimination, Xenophobia and Related Intolerance, where it was recognized that human rights education is a key to changing attitudes and behaviour based on racism, racial discrimination, xenophobia and related intolerance and to promoting tolerance and respect for diversity in societies, and affirming that such education is a determining factor in the promotion, dissemination and protection of the democratic values of justice and equity, which are essential to prevent and combat the spread of racism, racial discrimination, xenophobia and related intolerance",

was replaced by the following:

"*Affirming* that human rights education is a key to changing attitudes and behaviour based on racism, racial discrimination, xenophobia and related intolerance and to promoting tolerance and respect for diversity in societies, and that such education is a determining factor in the promotion, dissemination and protection of the democratic values of justice and equity, which are essential to prevent and combat the spread of racism, racial discrimination, xenophobia and related intolerance, as was recognized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001";

(b) In the eleventh preambular paragraph, the words "*Looking forward* to the outcome" were replaced by the words "*Welcoming* the holding".

89. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.66, as orally revised, without a vote (see para. 109, draft resolution XXI).

V. Draft resolution A/C.3/56/L.67/Rev.1

90. At the 52nd meeting, on 29 November, the representative of Mexico, on behalf of Bolivia, Brazil, Chile, Colombia, the Congo, Costa Rica, Cuba, the Democratic Republic of the Congo, the Dominican Republic, Ecuador, El Salvador, Guatemala, Jamaica, Mexico, Morocco, Nicaragua, Panama, the Philippines, Sierra Leone, South Africa and Uruguay, introduced a draft resolution entitled "Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities" (A/C.3/56/L.67/Rev.1). Subsequently, Argentina, Bangladesh, Honduras, the Islamic Republic of Iran, Jordan and Suriname joined in sponsoring the draft resolution.

91. At the 55th meeting, on 30 November, the Secretary read out a statement on the conference-servicing implications of the draft resolution (see A/C.3/56/SR.55).

92. At the same meeting, the representative of Mexico orally revised operative paragraph 1 of the draft resolution by replacing the words "for the purpose of elaborating a comprehensive and integral international convention" with the words "to consider proposals for a comprehensive and integral international convention"; and by adding the words "and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development" at the end of the paragraph.

93. Also at the 55th meeting, the Committee adopted draft resolution A/C.3/56/L.67/Rev.1, as orally revised, without a vote (see para. 109, draft resolution XXII).

94. After the adoption of the draft resolution, statements were made by the representatives of Belgium (on behalf of the States Members of the United Nations that are members of the European Union), the United States of America, Canada and Australia (see A/C.3/56/SR.55).

W. Draft resolution A/C.3/56/L.68

95. At the 51st meeting, on 28 November, the representative of Japan, on behalf of Andorra, Australia, Austria, Canada, Denmark, Finland, France, Germany, Hungary, Iceland, Ireland, Japan, Latvia, Liechtenstein, Luxembourg, Malta, Monaco, the Netherlands, New Zealand, Norway, Portugal, Romania, San Marino, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Situation of human rights in Cambodia" (A/C.3/56/L.68). Subsequently, Belgium, Greece and Italy joined in sponsoring the draft resolution.

96. At the same meeting, the representative of Japan orally corrected section II, operative paragraph 7, by adding the words "and Management" after the words "Law on the Administration".

97. At its 52nd meeting, on 29 November, the Committee adopted draft resolution A/C.3/56/L.68, as orally corrected, without a vote (see para. 109, draft resolution XXIII).

98. After the adoption of the draft resolution, a statement was made by the representative of Cambodia (see A/C.3/56/SR.52).

X. Draft resolution A/C.3/56/L.69 and Rev.1

99. At the 50th meeting, on 27 November, the representative of the Democratic Republic of the Congo, on behalf of Angola, Burundi, Cameroon, the Central African Republic, Chad, the Congo, the Democratic Republic of the Congo, Equatorial Guinea, Gabon and Sao Tome and Principe, introduced a draft resolution entitled "Subregional Centre for Human Rights and Democracy in Central Africa" (A/C.3/5/6/L.69), which read:

"*The General Assembly*,

"*Recalling* its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

"*Recalling also* its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000 and section III of its resolution 55/234 of 23 December 2000, in which it requested the Secretary-General to ensure that the projects funded during the biennium 2000-2001 would also be funded during the biennium 2002-2003,

"*Recalling further* the report of th0e United Nations High Commissioner for Human Rights,

"1. *Welcomes* the creation of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

"2. *Notes with satisfaction* the support given to the establishment of the Centre by the host country;

"3. *Invites* the Secretary-General and the United Nations High Commissioner for Human Rights to take all necessary measures to ensure the smooth functioning of the Centre in accordance with section III of its resolution 55/234;

"4. *Requests* the Secretary-General to submit to it at its fifty-seventh session a report on the implementation of this resolution."

100. At its 53rd meeting, on 30 November, the Committee had before it a revised draft resolution entitled "Subregional Centre for Human Rights and Democracy in Central Africa" (A/C.3/56/L.69/Rev.1), submitted by the sponsors of draft resolution A/C.3/56/L.69 and Benin, Burkina Faso, Côte d'Ivoire, the Gambia, Haiti, Madagascar and Senegal. Subsequently, Sierra Leone joined in sponsoring the revised draft resolution.

101. At the same meeting, the Committee was informed that the statement of the programme budget implications of draft resolution A/C.3/56/L.69, submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly (A/C.3/56/L.81), also pertained to the revised draft resolution.

102. A statement was made by the representative of the Democratic Republic of the Congo (see A/C.3/56/SR.53).

103. Also at its 53rd meeting, the Committee adopted revised draft resolution A/C.3/56/L.69/Rev.1 without a vote (see para. 109, draft resolution XXIV).

Y. Draft resolution A/C.3/56/L.71

104. At the 52nd meeting, on 29 November, the representative of Mexico, on behalf of Argentina, Armenia, Bolivia, Brazil, Cape Verde, Chile, Colombia, Cuba, Ecuador, Egypt, El Salvador, Ethiopia, Guatemala, Haiti, Mexico, Morocco, Mozambique, Nicaragua, Paraguay, Peru, the Philippines, Portugal, the Russian Federation, Senegal, Togo and Uruguay, introduced a draft resolution entitled "Protection of migrants" (A/C.3/56/L.71). Subsequently, Bangladesh, Honduras, Lesotho, Mauritius, the Sudan, Suriname, Sri Lanka, Swaziland, Tunisia and Turkey joined in sponsoring the draft resolution.

105. At the same meeting, the representative of Mexico orally revised the draft resolution as follows:

(a) At the end of the third preambular paragraph, the words "recalling that at" were inserted before the words "the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" and, at the end of the paragraph, the following text was added:

"a positive approach to the migration issue was established, recognizing the economic, social and cultural contributions of migrants to the countries of origin and destination, reaffirming the fundamental human rights of migrants and the responsibility of the States to protect them";

(b) In operative paragraph 5, the word "parties" was inserted after the word "States";

(c) In operative paragraph 13, after the words "best interests of children", the words "and the importance of reuniting them with their parents, when possible and appropriate," were inserted.

106. At the 53rd meeting, on 30 November, the representative of Mexico further revised the text as follows:

(a) The third preambular paragraph was replaced by the following text:

"*Reaffirming* the provisions concerning migrants adopted by the World Conference on Human Rights, the International Conference on Population and Development, the World Summit for Social Development, the Fourth World Conference on Women,";

(b) The following new paragraph was added after the third preambular paragraph:

"*Taking note* of the positive treatment of the issue of migrants at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and recognizing the economic, social and cultural contributions of migrants to the countries of destination and origin";

(c) In the last preambular paragraph, the words "the right to information about consular assistance within the framework of due process guarantees" were replaced by the words "the right to information on consular assistance in the framework of the guarantees of the due process of law".

107. At the same meeting, the Committee adopted draft resolution A/C.3/56/L.71, as orally revised, without a vote (see para. 109, draft resolution XXV).

108. After the adoption of the draft resolution, statements were made by the representatives of Mexico, Bolivia and Singapore (see A/C.3/56/SR.53).

III. Recommendations of the Third Committee

109. The Third Committee recommends to the General Assembly the adoption of the following draft resolutions:

Draft resolution I
Human rights education

The General Assembly,

Taking into account Commission on Human Rights resolution 2001/61 of 25 April 2001 regarding the importance of human rights education as a priority in education policies,

Considering Economic and Social Council resolution 2001/38 of 26 July 2001 on human rights education,

Convinced that human rights education and information contribute to the concept of development consistent with the dignity of women and men of all ages, which takes into account particularly vulnerable segments of society of all ages, such as children, youth, older persons, indigenous people, minorities, rural and urban poor, migrant workers, refugees, persons with the human immunodeficiency virus/acquired immunodeficiency syndrome and disabled persons,

Considering the importance of a human rights education,

Convinced that human rights education is a key to development,

Taking note with appreciation of the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004) contained in the report of the Office of the High Commissioner for Human Rights,[6]

Taking into account the recommendations of the mid-term global evaluation of the progress made towards the achievement of the objectives of the United Nations Decade for Human Rights Education (1995-2004),

1. *Invites* all Governments to reaffirm their commitments and obligations to develop national strategies for human rights education which are comprehensive, participatory and effective and which can be embodied in a national plan of action for human rights education as part of their national development plan;

2. *Also invites* the United Nations, intergovernmental organizations, the United Nations Educational, Scientific and Cultural Organization and other relevant intergovernmental organizations, to adopt a system-wide approach to the United Nations Decade for Human Rights Education (1995-2004);

3. *Further invites* relevant regional human rights organizations, agencies and networks to develop human rights education programmes and human rights training programmes and strategies for wider distribution of material on human rights education in all possible languages;

4. *Recognizes* the role that non-governmental organizations play in developing and implementing strategies to assist Governments to integrate human rights education into all levels of education for children, youth and adults.

Draft resolution II
Human rights and unilateral coercive measures

The General Assembly,

Recalling its resolutions 51/103 of 12 December 1996, 52/120 of 12 December 1997, 53/141 of 9 December 1998, 54/172 of 17 December 1999 and 55/110 of 4 December 2000, as well as Commission on Human Rights resolution 1998/11 of 9 April 1998,[7] and taking note of Commission resolutions 2000/11 of 17 April 2000[8] and 2001/26 of 20 April 2001,[9]

Reaffirming the pertinent principles and provisions contained in the Charter of Economic Rights and Duties of States proclaimed by the General Assembly in its resolution 3281 (XXIX) of 12 December 1974, in particular article 32 thereof, in which it declared that no State may use or encourage the use of economic, political or any other type of measures to coerce another State in order to obtain from it the subordination of the exercise of its sovereign rights,

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[6] A/55/360.

[7] See *Official Records of the Economic and Social Council, 1998, Supplement No. 3* (E/1998/23), chap. II, sect. A.

[8] Ibid., *2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.

[9] Ibid., *2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

Taking note of the report submitted by the Secretary-General,[10] pursuant to Commission on Human Rights resolution 1999/21 of 23 April 1999,[11] and the reports of the Secretary-General on the implementation of resolutions 52/120 and 55/110,[12]

Recognizing the universal, indivisible, interdependent and interrelated character of all human rights, and, in this regard, reaffirming the right to development as an integral part of all human rights,

Recalling that the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993, called upon States to refrain from any unilateral coercive measure not in accordance with international law and the Charter of the United Nations that creates obstacles to trade relations among States and impedes the full realization of all human rights,[13]

Bearing in mind all the references to this question in the Copenhagen Declaration on Social Development, adopted by the World Summit for Social Development on 12 March 1995,[14] the Beijing Declaration and the Platform for Action, adopted by the Fourth World Conference on Women on 15 September 1995,[15] the Istanbul Declaration on Human Settlements and the Habitat Agenda, adopted by the second United Nations Conference on Human Settlements (Habitat II) on 14 June 1996,[16] and their five-year reviews,

Expressing its concern about the negative impact of unilateral coercive measures in the field of international relations, trade, investment and cooperation,

Deeply concerned that, despite the recommendations adopted on this question by the General Assembly and recent major United Nations conferences and contrary to general international law and the Charter of the United Nations, unilateral coercive measures continue to be promulgated and implemented with all their negative implications for the social-humanitarian activities and economic and social development of developing countries, including their extraterritorial effects, thereby creating additional obstacles to the full enjoyment of all human rights by peoples and individuals under the jurisdiction of other States,

Bearing in mind all the extraterritorial effects of any unilateral legislative, administrative and economic measures, policies and practices of a coercive nature against the development process and the enhancement of human rights in developing countries, which create obstacles to the full realization of all human rights,

Noting the continuing efforts of the Open-ended Working Group on the Right to Development of the Commission on Human Rights, and reaffirming in particular

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[10] E/CN.4/2001/50.

[11] See *Official Records of the Economic and Social Council, 1999, Supplement No. 3* (E/1999/23), chap. II, sect. A.

[12] A/56/207 and Add.1.

[13] See A/CONF.157/24 (Part I), chap. III, sect. I, para. 31.

[14] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annex I.

[15] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[16] *Report of the United Nations Conference on Human Settlements (Habitat II), Istanbul, 3-14 June 1996* (United Nations publication, Sales No. E.97.IV.6), chap. I, resolution 1, annexes I and II.

its criteria according to which coercive measures are one of the obstacles to the implementation of the Declaration on the Right to Development,[17]

1. *Urges* all States to refrain from adopting or implementing any unilateral measures not in accordance with international law and the Charter of the United Nations, in particular those of a coercive nature with all their extraterritorial effects, which create obstacles to trade relations among States, thus impeding the full realization of the rights set forth in the Universal Declaration of Human Rights[18] and other international human rights instruments, in particular the right of individuals and peoples to development;

2. *Invites* all States to consider adopting administrative or legislative measures, as appropriate, to counteract the extraterritorial application or effects of unilateral coercive measures;

3. *Rejects* unilateral coercive measures with all their extraterritorial effects as tools for political or economic pressure against any country, in particular against developing countries, because of their negative effects on the realization of all the human rights of vast sectors of their populations, in particular children, women and the elderly;

4. *Calls upon* Member States that have initiated such measures to commit themselves to their obligations and responsibilities arising from the international human rights instruments to which they are party by revoking such measures at the earliest time possible;

5. *Reaffirms*, in this context, the right of all peoples to self-determination, by virtue of which they freely determine their political status and freely pursue their economic, social and cultural development;

6. *Urges* the Commission on Human Rights to take fully into account the negative impact of unilateral coercive measures, including the enactment of national laws and their extraterritorial application, in its task concerning the implementation of the right to development;

7. *Requests* the United Nations High Commissioner for Human Rights, in discharging her functions relating to the promotion, realization and protection of the right to development and bearing in mind the continuing impact of unilateral coercive measures on the population of developing countries, to give priority to the present resolution in her annual report to the General Assembly;

8. *Requests* the Secretary-General to bring the present resolution to the attention of all Member States, to continue to collect their views and information on the implications and negative effects of unilateral coercive measures on their populations and to submit an analytical report thereon to the General Assembly at its fifty-seventh session, highlighting the practical and preventive measures in this respect;

9. *Decides* to examine this question on a priority basis at its fifty-seventh session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

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[17] Resolution 41/128, annex.

[18] Resolution 217 A (III).

Draft resolution III
Enhancement of international cooperation in the field of human rights

The General Assembly,

Reaffirming its commitment to promoting international cooperation, as set forth in the Charter of the United Nations, in particular Article 1, paragraph 3, as well as relevant provisions of the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[19] for enhancing genuine cooperation among Member States in the field of human rights,

Recalling its adoption of the United Nations Millennium Declaration[20] on 8 September 2000 and its resolution 55/109 of 4 December 2000, and taking note of Commission on Human Rights resolution 2001/67 of 25 April 2001 on the enhancement of international cooperation in the field of human rights,[21]

Recalling also the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,[22] held from 31 August to 8 September 2001, and its role for the enhancement of international cooperation in the field of human rights,

Recognizing that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations, including the effective promotion and protection of all human rights,

Reaffirming that dialogue among religions, cultures and civilizations in the field of human rights could contribute greatly to the enhancement of international cooperation in this field, and recalling its decision to proclaim the year 2001 as the United Nations Year of Dialogue among Civilizations, as well as its resolution 55/23 of 13 November 2000 and its resolution 56/6 of 9 November 2001, entitled "Global Agenda for Dialogue among Civilizations",

Emphasizing the need for further progress in the promotion and encouragement of respect for human rights and fundamental freedoms through, inter alia, international cooperation,

Underlining the fact that mutual understanding, dialogue, cooperation, transparency and confidence-building are important elements in all the activities for the promotion and protection of human rights,

Recalling the adoption of resolution 2000/22 of 18 August 2000, entitled "Promotion of dialogue on human rights issues", by the Subcommission on the Promotion and Protection of Human Rights at its fifty-second session,[23]

1. *Reaffirms* that it is one of the purposes of the United Nations and the responsibility of all Member States to promote, protect and encourage respect for human rights and fundamental freedoms through, inter alia, international cooperation;

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[19] A/CONF.157/24 (Part I), chap. III.

[20] See resolution 55/2.

[21] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[22] See A/CONF.189/12.

[23] See E/CN.4/2001/2-E/CN.4/Sub.2/2000/46, chap. II, sect. A.

2. *Reaffirms also* that dialogue among cultures and civilizations facilitates the promotion of a culture of tolerance and respect for diversity, and welcomes in this regard the holding of several conferences and meetings at the national, regional and international level on dialogue among civilizations, as well as the meetings of the General Assembly under the agenda item entitled "United Nations Year of Dialogue among Civilizations", held on 8 and 9 November 2001;

3. *Considers* that international cooperation in this field, in conformity with the purposes and principles set out in the Charter of the United Nations and international law, should make an effective and practical contribution to the urgent task of preventing violations of human rights and of fundamental freedoms for all;

4. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms should be guided by the principles of universality, non-selectivity, objectivity and transparency, in a manner consistent with the purposes and principles set out in the Charter;

5. *Calls upon* Member States, specialized agencies and intergovernmental organizations to continue to carry out a constructive dialogue and consultations for the enhancement of understanding and the promotion and protection of all human rights and fundamental freedoms, and encourages non-governmental organizations to contribute actively to this endeavour;

6. *Invites* States and relevant United Nations human rights mechanisms and procedures to continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights;

7. *Decides* to continue its consideration of this question at its fifty-seventh session.

Draft resolution IV
The right to development

The General Assembly,

Guided by the Charter of the United Nations, expressing, in particular, the determination to promote social progress and better standards of life in larger freedom as well as to employ international mechanisms for the promotion of the economic and social advancement of all peoples,

Recalling that the Declaration on the Right to Development, adopted by the General Assembly in its resolution 41/128 of 4 December 1986, confirmed that the right to development is an inalienable human right and that equality of opportunity for development is a prerogative both of nations and of individuals, who make up nations,

Recalling also that the outcome of the World Conference on Human Rights, held in Vienna in 1993, the Vienna Declaration and Programme of Action,[24] reaffirmed the right to development as a universal and inalienable right and an integral part of all fundamental human rights,

[24] A/CONF.157/24 (Part I), chap. III.

Recalling further the outcomes of the World Summit for Social Development, held in Copenhagen from 6 to 12 March 1995,[25] and the twenty-fourth special session of the General Assembly, entitled "World Summit for Social Development and beyond: achieving social development for all in a globalizing world",[26] held in Geneva from 26 June to 1 July 2001, especially as they relate to the realization of the right to development,

Recalling its resolution 55/279 of 12 July 2001, in which it endorsed the Brussels Declaration[27] and Programme of Action for the Least Developed Countries for the Decade 2001-2010,[28] adopted by the Third United Nations Conference on Least Developed Countries, held in Brussels from 14 to 20 May 2001, and, in this regard, emphasizing the importance of implementation and follow-up to the Brussels commitments,

Welcoming the report of the Secretary-General,[29] in preparation for the International Conference on Financing for Development to be held in Monterrey, Mexico, from 18 to 22 March 2002, and expressing its hope that the Conference will set a new partnership for financing sustainable development and for implementation of the goals set out in the United Nations Millennium Declaration[30] and other internationally agreed development targets,

Taking note of the three studies prepared by the independent expert on the right to development and his proposed possible approaches to the operationalization of the right to development,

Taking note also of the report of the Open-Ended Working Group on the Right to Development established to monitor and review progress made in the promotion and implementation of the right to development[31] and of the Chairperson's conclusions on the issue, as well as the comments submitted thereon,

Welcoming the commitment made by the heads of State and Government in the United Nations Millennium Declaration to make the right to development a reality for everyone and their resolve to create an environment, at the national and global levels alike, which is conducive to development and to the elimination of poverty, and their commitment to spare no effort to promote good governance and democracy and to strengthen the rule of law as well as respect for all universally recognized human rights and fundamental freedoms, including the right to development,

Underlining the fact that meeting the objectives of good governance also depends on good governance at the international level and on transparency in the financial, monetary and trading systems and an open, equitable, rules-based, predictable and non-discriminatory multilateral trading and financial system,

Underlining also the fact that the realization of the right to development requires effective development policies at the national level as well as equitable

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[25] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[26] Resolution S-24/2, annex.

[27] A/CONF.191/12.

[28] A/CONF.191/11.

[29] A/AC.257/12.

[30] See resolution 55/2.

[31] E/CN.4/2001/26.

economic relations and a favourable economic environment at the international level,

Underlining further the important role of the United Nations High Commissioner for Human Rights in the promotion and protection of the right to development,

Recalling the need for coordination and cooperation throughout the United Nations system for a more effective promotion and realization of the right to development,

Noting the outcome of the South Summit of the Group of Seventy-seven, held in Havana from 10 to 14 April 2000, relating to the realization of the right to development,[32]

1. *Welcomes* the holding of two sessions of the Open-Ended Working Group on the Right to Development from 18 to 22 September 2000 and from 29 January to 2 February 2001, which focused on certain issues, as reflected in the report of the Open-Ended Working Group,[31] and emphasizes the need to continue deliberations on the right to development in all its aspects, inter alia, on the basis of the report of the Open-Ended Working Group and the Chairperson's conclusions, as well as comments submitted thereon;

2. *Emphasizes* that, on the basis of the text of the Declaration on the Right to Development, several resolutions and declarations adopted by consensus at subsequent international conferences and the Vienna Declaration and Programme of Action,[24] it should now be possible to reach consensus on the full implementation of the right to development;

3. *Expresses its appreciation* for the reports of the independent expert on the right to development and his additional work on and clarifications of the "development compact" proposal, which contributed to a better understanding of this proposal, while recognizing that further clarification is still needed;

4. *Recognizes* that any development compact would be of a voluntary nature for all parties involved and that its content would be defined on a case-by-case basis and be adapted to the priorities and realities of any country willing to conclude such a compact, which would need the adherence and the support of all international actors involved in its implementation;

5. *Notes* the request by the Commission on Human Rights for the independent expert to clarify further the proposed development compact, taking into consideration views expressed during the two sessions of the Open-Ended Working Group and in broad consultation with the Office of the United Nations High Commissioner for Human Rights and United Nations funds and programmes, as well as the specialized agencies, relevant international and regional organizations, non-governmental organizations and, in particular, those actors and States interested in developing pilot projects in this regard, keeping in mind:

(a) The ongoing bilateral, regional and multilateral development cooperation programmes;

(b) The formulation of an operational model for a development compact;

[32] See A/55/74, annexes I and II.

(c) The views of concerned international organizations and agencies and relevant regional institutions and actors;

(d) The need to ensure the added value of a development compact to and complementarity with the relevant existing mechanisms;

(e) The need to address and remedy the national and international dimensions of corruption;

(f) The need for country-specific studies both from a national and an international perspective;

6. *Reaffirms* that States have the primary responsibility for the creation of national and international conditions favourable to the realization of the right to development and that they are committed to cooperating with each other to that end;

7. *Also reaffirms* that the realization of the right to development is essential to the implementation of the Vienna Declaration and Programme of Action, which regards all human rights as universal, indivisible, interdependent and interrelated, and which also places the human person at the centre of development and recognizes that while development facilitates the enjoyment of all human rights, the lack of development may not be invoked to justify the abridgement of internationally recognized human rights;

8. *Recognizes* that, in order to realize the right to development, national action and international cooperation must reinforce each other in a manner that goes beyond the measures for realizing each individual right, and also recognizes that international cooperation for the realization of the right to development should be conducted in the spirit of a partnership, in full respect of all human rights, which are universal, indivisible, interdependent and interrelated;

9. *Also recognizes* that for many developing countries, the realization of the rights to, inter alia, food, health and education may be important development entry points to the realization of the right to development and that, in this context, the independent expert's concept of a development compact intends to give expression to some basic tenets of the interdependence of all human rights and national ownership of development strategies and development programmes, as well as the importance of international cooperation;

10. *Takes note* of the ongoing discussion on the question of a suitable permanent follow-up mechanism and the different views expressed thereon in the Open-Ended Working Group, and recognizes the need for a discussion on this issue;

11. *Stresses* the necessity of establishing, at the national level, an enabling legal, political, economic and social environment for the realization of the right to development, and emphasizes the importance of democratic, participatory, transparent and accountable governance, as well as the need for efficient national mechanisms, such as national human rights commissions, to ensure respect for civil, economic, cultural, political and social rights, without any distinction;

12. *Also stresses* the need to prevent, address and take effective action against corruption, at both the national and international levels, including by establishing a firm legal structure for eradicating corruption, and urges States to take all necessary measures to that end;

13. *Recognizes* the importance of the role of the State, civil society, free and independent media, national institutions, the private sector and other relevant institutions in the realization of the right to development, and also recognizes the need to continue discussion on this subject;

14. *Affirms* the role of women in the process of realization of the right to development, including their role as active actors in and beneficiaries of development, and that further actions in this context are needed to ensure the participation of women on equal terms with men in all fields in the realization of the right to development;

15. *Also affirms* the promotion of gender equality and the empowerment of women as effective means to combat poverty, hunger and disease and to stimulate sustainable development, as well as the importance of equal rights and opportunities for women and men, including property rights for women and their access to bank loans, mortgages and other forms of financial credit, taking into account the best practices of microcredit in different parts of the world;

16. *Underlines* the fact that, in the process of the realization of the right to development, special attention should be given to persons belonging to minorities, whether national, ethnic, religious or linguistic, as well as to persons belonging to vulnerable groups, such as elderly people, indigenous people, persons facing discrimination on multiple grounds, Roma, migrants, persons with disabilities, children and persons infected with human immunodeficiency virus/acquired immunodeficiency syndrome, and that such attention should have a gender perspective;

17. *Affirms* in this context that attention should also be given to the right to development of children, with special attention to the rights of the girl child;

18. *Acknowledges* the need to continue discussion on the role of civil society in the realization of the right to development and the role of national institutions in this respect;

19. *Reaffirms* the need for States to cooperate with each other in ensuring development and eliminating obstacles to development, recognizes the importance of the international community in promoting effective international cooperation for the realization of the right to development, and also recognizes that lasting progress towards the implementation of the right to development requires effective development policies at the national level, as well as equitable economic relations and a favourable economic environment at the international level;

20. *Reiterates* that the gap between developed and developing countries remains unacceptably wide, that developing countries continue to face difficulties in participating in the globalization process, and that many risk being marginalized and effectively excluded from its benefits;

21. *Recognizes*, while bearing in mind the existing efforts in this respect, that it is necessary to enhance efforts to consider and evaluate the impact on the enjoyment of human rights of international economic and financial issues, such as:

(a) International trade issues;

(b) Access to technology;

(c) Good governance and equity at the international level;

(d) Debt burden;

22. *Notes* the request by the Commission on Human Rights for the independent expert to prepare, in consultation with all relevant United Nations agencies and the Bretton Woods institutions, a preliminary study on the impact of those issues on the enjoyment of human rights, starting by analysing the existing efforts and means of assessing and evaluating such an impact, for consideration by the Open-Ended Working Group at its future sessions;

23. *Notes also* the request by the Commission on Human Rights for the Office of the United Nations High Commissioner for Human Rights, the specialized agencies, funds and programmes, the international financial institutions and other relevant actors to collaborate with the independent expert in the fulfilment of his mandate and encourages further cooperation;

24. *Notes further* the request by the Commission on Human Rights for the Open-Ended Working Group and the independent expert, to consider, as appropriate, the relevant economic and developmental outcomes of the international conferences, inter alia, the South Summit of the Group of Seventy-seven,[32] and the follow-up thereto, in elaborating their recommendations for the implementation of the right to development;

25. *Decides* to continue consideration of the issue of the right to development, as a matter of priority, at its fifty-seventh session.

Draft resolution V
Promotion of a democratic and equitable international order

The General Assembly,

Recalling its resolution 55/107 of 4 December 2000, and taking note of Commission on Human Rights resolution 2001/65 of 25 April 2001,[33]

Reaffirming the commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all, in accordance with the Charter of the United Nations, other instruments relating to human rights and international law,

Affirming that the enhancement of international cooperation for the promotion and protection of all human rights should continue to be carried out in full conformity with the purposes and principles of the Charter and international law as set forth in Articles 1 and 2 of the Charter and, inter alia, with full respect for sovereignty, territorial integrity, political independence, the non-use of force or the threat of force in international relations and non-intervention in matters that are essentially within the domestic jurisdiction of any State,

Recalling the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

[33] *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

Reaffirming that everyone is entitled to a social and international order in which the rights and freedoms set forth in the Universal Declaration of Human Rights[34] can be fully realized,

Reaffirming also the determination expressed in the Preamble to the Charter to save succeeding generations from the scourge of war, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, to promote social progress and better standards of life in larger freedom, to practise tolerance and good-neighbourliness, and to employ international machinery for the promotion of the economic and social advancement of all peoples,

Considering the major changes taking place on the international scene and the aspirations of all peoples for an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, the rule of law, pluralism, development, better standards of living and solidarity,

Considering also that the Universal Declaration of Human Rights proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Reaffirming that democracy, development and respect for human rights and fundamental freedoms are interdependent and mutually reinforcing, and that democracy is based on the freely expressed will of the people to determine their own political, economic, social and cultural systems and their full participation in all aspects of their lives,

Emphasizing that democracy is not only a political concept but also has economic and social dimensions,

Recognizing that democracy, respect for all human rights, including the right to development, transparent and accountable governance and administration in all sectors of society, and effective participation by civil society are an essential part of the necessary foundations for the realization of social and people-centred sustainable development,

Underlining the fact that it is imperative for the international community to ensure that globalization becomes a positive force for all the world's people, and that only through broad and sustained efforts, based on common humanity in all its diversity, can globalization be made fully inclusive and equitable,

Stressing that efforts to make globalization fully inclusive and equitable must include policies and measures, at the global level, that correspond to the needs of developing countries and economies in transition and are formulated and implemented with their effective participation,

Resolved, at the beginning of a new century and millennium, to take all measures within its power to secure a democratic and equitable international order,

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[34] Resolution 217 A (III).

1. *Affirms* that everyone is entitled to a democratic and equitable international order;

2. *Also affirms* that a democratic and equitable international order fosters the full realization of all human rights for all;

3. *Further affirms* that a democratic and equitable international order requires, inter alia, the realization of the following:

(a) The right of all peoples to self-determination, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development;

(b) The right of peoples and nations to permanent sovereignty over their natural wealth and resources;

(c) The right of every human person and all peoples to development;

(d) The right of all peoples to peace;

(e) The promotion of an international economic order based on equal participation in the decision-making process, interdependence, mutual interest, solidarity and cooperation among all States;

(f) Solidarity, as a fundamental value, by virtue of which global challenges must be managed in a way that distributes costs and burdens fairly in accordance with basic principles of equity and social justice and ensures that those who suffer or who benefit the least receive help from those who benefit the most;

(g) The promotion and consolidation of transparent, democratic, just and accountable international institutions in all areas of cooperation, in particular through the implementation of the principles of full and equal participation in their respective decision-making mechanisms;

(h) The principle of equitable regional and gender-balanced representation in the composition of the staff of the United Nations system;

(i) The promotion of a free, just, effective and balanced international information and communication order, based on international cooperation for the establishment of a new equilibrium and greater reciprocity in the international flow of information, in particular, correcting the inequalities in the flow of information to and from developing countries;

(j) The respect for cultural diversity and the cultural rights of all, since this enhances cultural pluralism, contributes to a wider exchange of knowledge and understanding of cultural backgrounds, advances the application and enjoyment of universally accepted human rights across the world and fosters stable, friendly relations among peoples and nations worldwide;

(k) The entitlement of every person and all peoples to a healthy environment;

(l) The promotion of equitable access to benefits from the international distribution of wealth through enhanced international cooperation, in particular in economic, commercial and financial international relations;

(m) The enjoyment by everyone of ownership of the common heritage of mankind;

(n) The shared responsibility among the nations of the world for managing worldwide economic and social development, as well as threats to international peace and security that should be exercised multilaterally;

4. *Stresses* the importance of preserving the rich and diverse nature of the international community of nations and peoples, as well as respect for national and regional particularities and various historical, cultural and religious backgrounds in the enhancement of international cooperation in the field of human rights;

5. *Also stresses* that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and reaffirms that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

6. *Reaffirms* that all States should promote the establishment, maintenance and strengthening of international peace and security and, to that end, should do their utmost to achieve general and complete disarmament under effective international control, as well as to ensure that the resources released by effective disarmament measures are used for comprehensive development, in particular that of the developing countries;

7. *Recalls* the proclamation by the General Assembly of its determination to work urgently for the establishment of an international economic order based on equity, sovereign equality, interdependence, common interest and cooperation among all States, irrespective of their economic and social systems, which shall correct inequalities and redress existing injustices, make it possible to eliminate the widening gap between the developed and the developing countries and ensure steadily accelerating economic and social development and peace and justice for present and future generations;[35]

8. *Reaffirms* that the international community should devise ways and means to remove the current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world;

9. *Urges* States to continue their efforts, through enhanced international cooperation, towards the promotion of a democratic and equitable international order;

10. *Requests* the Commission on Human Rights, the human rights treaty bodies, the Office of the United Nations High Commissioner for Human Rights and the mechanisms of the Commission on Human Rights and the Subcommission on the Promotion and Protection of Human Rights to pay due attention, within their respective mandates, to the present resolution and to make contributions towards its implementation;

11. *Calls upon* the Office of the United Nations High Commissioner for Human Rights to build upon the issue of the promotion of a democratic and

[35] See resolution 3201 (S-VI).

equitable international order and to take into account the present resolution when convening any seminar, workshop or any other activity in relation to the issue of democracy;

12. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, United Nations organs, bodies and components, intergovernmental organizations, in particular the Bretton Woods institutions, and non-governmental organizations and to disseminate it on the widest possible basis;

13. *Decides* to continue consideration of the matter at its fifty-seventh session under the agenda item entitled "Human rights questions".655

Draft resolution VI
Respect for the purposes and principles contained in the Charter of the United Nations to achieve international cooperation in promoting and encouraging respect for human rights and for fundamental freedoms and in solving international problems of a humanitarian character

The General Assembly,

Recalling that, in accordance with Article 56 of the Charter of the United Nations, all Member States have pledged themselves to take joint and separate action in cooperation with the Organization for the achievement of the purposes set forth in Article 55, including universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling also the Preamble to the Charter, in particular the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small,

Reaffirming that the promotion and protection of all human rights and fundamental freedoms must be considered a priority objective of the United Nations in accordance with its purposes and principles, in particular the purpose of international cooperation, and that, in the framework of these purposes and principles, the promotion and protection of all human rights are a legitimate concern of the international community,

Considering the major changes taking place on the international scene and the aspirations of all peoples to an international order based on the principles enshrined in the Charter, including promoting and encouraging respect for human rights and fundamental freedoms for all and respect for the principle of equal rights and self-determination of peoples, peace, democracy, justice, equality, rule of law, pluralism, development, better standards of living and solidarity,

Recognizing that the international community should devise ways and means to remove current obstacles and meet the challenges to the full realization of all human rights and to prevent the continuation of human rights violations resulting therefrom throughout the world, as well as continue to pay attention to the importance of mutual cooperation, understanding and dialogue in ensuring the promotion and protection of all human rights,

Reaffirming that the enhancement of international cooperation in the field of human rights is essential for the full achievement of the purposes of the United Nations and that human rights and fundamental freedoms are the birthright of all human beings, the protection and promotion of such rights and freedoms being the first responsibility of Governments,

Reaffirming also that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Reaffirming further the various articles of the Charter setting out the respective powers and functions of the General Assembly, the Security Council and the Economic and Social Council, as the paramount framework for the achievement of the purposes of the United Nations,

Reaffirming the commitment of all States to fulfil their obligations under other important instruments of international law, in particular those of international human rights and humanitarian law,

Taking into account that, in accordance with Article 103 of the Charter, in the event of a conflict between the obligations of the Members of the United Nations under the Charter and their obligations under any other international agreement, their obligations under the Charter shall prevail,

1. *Affirms* the solemn commitment of all States to enhance international cooperation in the field of human rights and in the solution to international problems of a humanitarian character in full compliance with the Charter of the United Nations, inter alia, by the strict observance of all the purposes and principles set forth in Articles 1 and 2 thereof;

2. *Stresses* the vital role of the work of United Nations and regional arrangements, acting consistently with the purposes and principles enshrined in the Charter, in promoting and encouraging respect for human rights and fundamental freedoms, as well as in solving international problems of a humanitarian character, and affirms that all States in these activities must fully comply with the principles set forth in Article 2 of the Charter, in particular respecting the sovereign equality of all States and refraining from the threat or use of force against the territorial integrity or political independence of any State, or acting in any other manner inconsistent with the purposes of the United Nations;

3. *Reaffirms* that the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language or religion;

4. *Calls upon* all States to cooperate fully, through constructive dialogue, in order to ensure the promotion and protection of all human rights for all and in promoting peaceful solutions to international problems of a humanitarian character and, in their actions towards that purpose, to comply strictly with the principles and norms of international law, inter alia, by fully respecting international human rights and humanitarian law;

5. *Requests* the Secretary-General to bring the present resolution to the attention of Member States, organs, bodies and other components of the United

Nations system, and intergovernmental and non-governmental organizations, and to disseminate it on the widest possible basis;

6. *Decides* to consider this question at its fifty-seventh session under the item entitled "Human rights questions".

Draft resolution VII
Strengthening United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Bearing in mind that among the purposes of the United Nations are those of developing friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and taking other appropriate measures to strengthen universal peace, as well as achieving international cooperation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Desirous of achieving further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international cooperation should be based on the principles embodied in international law, especially the Charter of the United Nations, as well as the Universal Declaration of Human Rights,[36] the International Covenants on Human Rights[37] and other relevant instruments,

Deeply convinced that United Nations action in this field should be based not only on a profound understanding of the broad range of problems existing in all societies but also on full respect for the political, economic and social realities of each of them, in strict compliance with the purposes and principles of the Charter and for the basic purpose of promoting and encouraging respect for human rights and fundamental freedoms through international cooperation,

Recalling its previous resolutions in this regard,

Reaffirming the importance of ensuring the universality, objectivity and non-selectivity of the consideration of human rights issues, as affirmed in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[38]

Affirming the importance of the objectivity, independence and discretion of the special rapporteurs and representatives on thematic issues and on countries, as well as of the members of the working groups, in carrying out their mandates,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under

[36] Resolution 217 A (III).

[37] Resolution 2200 A (XXI), annex.

[38] A/CONF.157/24 (Part I), chap. III.

international law, especially the Charter, as well as various international instruments in the field of human rights,

1. *Reiterates* that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter, including respect for territorial integrity;

2. *Reaffirms* that it is a purpose of the United Nations and the task of all Member States, in cooperation with the Organization, to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. *Calls upon* all Member States to base their activities for the promotion and protection of human rights, including the development of further international cooperation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights,[36] the International Covenant on Economic, Social and Cultural Rights,[37] the International Covenant on Civil and Political Rights[37] and other relevant international instruments, and to refrain from activities that are inconsistent with that international framework;

4. *Considers* that international cooperation in this field should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. *Reaffirms* that the promotion, protection and full realization of all human rights and fundamental freedoms, as a legitimate concern of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. *Requests* all human rights bodies within the United Nations system, as well as the special rapporteurs and representatives, independent experts and working groups, to take duly into account the contents of the present resolution in carrying out their mandates;

7. *Expresses its conviction* that an unbiased and fair approach to human rights issues contributes to the promotion of international cooperation as well as to the effective promotion, protection and realization of human rights and fundamental freedoms;

8. *Stresses*, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

9. *Invites* Member States to consider adopting, as appropriate, within the framework of their respective legal systems and in accordance with their obligations under international law, especially the Charter, and international human rights instruments, the measures that they may deem appropriate to achieve further progress in international cooperation in promoting and encouraging respect for human rights and fundamental freedoms;

10. *Requests* the Commission on Human Rights to take duly into account the present resolution and to consider further proposals for the strengthening of United Nations action in the field of human rights through the promotion of international cooperation and the importance of non-selectivity, impartiality and objectivity;

11. *Takes note* of the report of the Secretary-General,[39] and requests the Secretary-General to invite Member States to present practical proposals and ideas that would contribute to the strengthening of United Nations action in the field of human rights, through the promotion of international cooperation based on the principles of non-selectivity, impartiality and objectivity, and to submit a comprehensive report on this question to the General Assembly at its fifty-seventh session;

12. *Decides* to consider this matter at its fifty-seventh session under the item entitled "Human rights questions".

Draft resolution VIII
Respect for the principles of national sovereignty and non-interference in the internal affairs of States in electoral processes as an important element for the promotion and protection of human rights

The General Assembly,

Reaffirming the purpose of the United Nations to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling also its resolution 2625 (XXV) of 24 October 1970, by which it approved the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations,

Reaffirming the right to self-determination, by virtue of which all peoples can freely determine their political status and freely pursue their economic, social and cultural development,

Recognizing that the principles enshrined in Article 2 of the Charter of the United Nations, in particular the respect of national sovereignty and non-interference in the internal affairs of any State, should be respected in the holding of elections,

Recognizing also the richness and diversity of democratic political systems and models of free and fair electoral processes in the world, based on national and regional particularities and various backgrounds,

Stressing the responsibility of States in ensuring ways and means to facilitate full and effective popular participation in their electoral processes,

[39] A/56/292 and Add.1.

Recognizing the contribution made by the United Nations of electoral assistance provided to numerous States upon their request,

Reaffirming the solemn commitment of all States to fulfil their obligations to promote universal respect for, and observance and protection of, all human rights and fundamental freedoms for all in accordance with the Charter, other instruments relating to human rights, and international law,

Welcoming the commitment of all Member States, expressed in the United Nations Millennium Declaration,[40] to work collectively for more inclusive political processes allowing genuine participation by all citizens in all countries,

1. *Reaffirms* that all peoples have the right of self-determination, by virtue of which they freely determine their political status, and freely pursue their economic, social and cultural development, and that every State has the duty to respect that right, in accordance with the provisions of the Charter of the United Nations;

2. *Reiterates* that periodic, fair and free elections are important elements for the promotion and protection of human rights;

3. *Reaffirms* the right of peoples to determine methods and to establish institutions regarding electoral processes and that, consequently, States should ensure the necessary mechanisms and means to facilitate full and effective popular participation in those processes;

4. *Also reaffirms* that free development of the national electoral process in each State should be fully honoured in a manner that fully respects the principles established in the Charter and in the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations;

5. *Further reaffirms* that United Nations electoral assistance is provided at the specific request of the Member State concerned;

6. *Calls upon* all States to refrain from financing political parties or other organizations in any other State in a way that is contrary to the principles of the Charter and that undermines the legitimacy of its electoral processes;

7. *Condemns* any act of armed aggression or threat or use of force against peoples, their elected Governments or their legitimate leaders;

8. *Reaffirms* that the will of the people shall be the basis of the authority of government and that this will shall be expressed in periodic and genuine elections, which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

[40] See resolution 55/2.

Draft resolution IX
The right to food

The General Assembly,

Taking note of all Commission on Human Rights resolutions in this regard, in particular resolutions 2000/10 of 17 April 2000[41] and 2001/25 of 20 April 2001,[42]

Recalling the Universal Declaration of Human Rights,[43] which provides that everyone has the right to a standard of living adequate for her/his health and well-being, including food,

Recalling also the provisions of the International Covenant on Economic, Social and Cultural Rights,[44] in which the fundamental right of every person to be free from hunger is recognized,

Recalling further the Universal Declaration on the Eradication of Hunger and Malnutrition,[45]

Bearing in mind the Rome Declaration on World Food Security and the Plan of Action of the World Food Summit, held in Rome from 13 to 17 November 1996,

Reaffirming that all human rights are universal, indivisible and interdependent and interrelated,

Recognizing that the problems of hunger and food insecurity have global dimensions and that they are likely to persist and even to increase dramatically in some regions, unless urgent, determined and concerted action is taken, given the anticipated increase in the world's population and the stress on natural resources,

Reaffirming that a peaceful, stable and enabling political, social and economic environment, both at a national and an international level, is the essential foundation which will enable States to give adequate priority to food security and poverty eradication,

Reiterating, as did the Rome Declaration, that food should not be used as an instrument of political or economic pressure, and reaffirming in this regard the importance of international cooperation and solidarity, as well as the necessity of refraining from unilateral measures that are not in accordance with international law and the Charter of the United Nations and that endanger food security,

Convinced that each State must adopt a strategy consistent with its resources and capacities to achieve its individual goals in implementing the recommendations contained in the Rome Declaration and Plan of Action of the World Food Summit and, at the same time, cooperate regionally and internationally in order to organize collective solutions to global issues of food security in a world of increasingly interlinked institutions, societies and economies, where coordinated efforts and shared responsibilities are essential,

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[41] *Official Records of the Economic and Social Council, 2000, Supplement No. 3* and corrigendum (E/2000/23 and Corr.1), chap. II, sect. A.

[42] Ibid., *2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[43] Resolution 217 A (III).

[44] See resolution 2200 A (XXI), annex.

[45] *Report of the World Food Conference, Rome, 5-16 November 1974* (United Nations publication, Sales No. E.75.II.A.3), chap. I.

Stressing the importance of reversing the continuing decline of official development assistance devoted to agriculture, both in real terms and as a share of total official development assistance,

1. *Reaffirms* that hunger constitutes an outrage and a violation of human dignity and, therefore, requires the adoption of urgent measures at the national, regional and international levels for its elimination;

2. *Also reaffirms* the right of everyone to have access to safe and nutritious food, consistent with the right to adequate food and the fundamental right of everyone to be free from hunger so as to be able fully to develop and maintain their physical and mental capacities;

3. *Considers* it intolerable that 826 million people, most of them women and children, throughout the world and particularly in developing countries, do not have enough food to meet their basic nutritional needs, which infringes upon their fundamental human rights and at the same time can generate additional pressures on the environment in ecologically fragile areas;

4. *Encourages* all States to take steps with a view to achieving progressively the full realization of the right to food, including steps to promote the conditions for everyone to be free from hunger and as soon as possible to enjoy fully the right to food, and to elaborate and adopt national plans to combat hunger;

5. *Stresses* the need to make efforts to mobilize and optimize the allocation and utilization of technical and financial resources from all sources, including external debt relief for developing countries, and to reinforce national actions to implement sustainable food security policies;

6. *Urges* States to give adequate priority in their development strategies and expenditures to the realization of the right to food;

7. *Takes note* of *The State of the World's Children 2001* report of the United Nations Children's Fund on early childhood and, in this context, recalls that the nurturing of young children merits the highest priority;

8. *Takes note* with appreciation of the preliminary report of the Special Rapporteur of the Commission on Human Rights on the right to food,[46] submitted in accordance with Commission resolution 2001/25, and commends the Special Rapporteur for his valuable work in the promotion of the right to food;

9. *Supports* the realization of the mandate of the Special Rapporteur as established by the Commission on Human Rights in its resolutions 2000/10 and 2001/25;

10. *Emphasizes* the request of the Commission on Human Rights to the Special Rapporteur to contribute effectively to the medium-term review of the implementation of the Rome Declaration on World Food Security and the Plan of Action of the World Food Summit by submitting to the United Nations High Commissioner for Human Rights his recommendations on all aspects of the right to food;

11. *Encourages* the Special Rapporteur to mainstream a gender perspective in the activities relating to his mandate;

[46] A/56/210.

12. *Requests* the Secretary-General and the High Commissioner to provide all the necessary human and financial resources for the effective fulfilment of the mandate of the Special Rapporteur;

13. *Welcomes* the work already done by the Committee on Economic, Social and Cultural Rights in promoting the right to adequate food, in particular its General Comment No. 12 (1999) on the right to adequate food (article 11 of the International Covenant on Economic, Social and Cultural Rights),[47] in which the Committee affirmed, inter alia, that the right to adequate food is indivisibly linked to the inherent dignity of the human person and is indispensable for the fulfilment of other human rights enshrined in the International Bill of Human Rights and is also inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies, at both the national and international levels, oriented to the eradication of poverty and the fulfilment of all human rights for all;

14. *Also welcomes* the convening by the High Commissioner at Bonn, Germany, from 12 to 14 March 2001, of the Third Expert Consultation on the Right to Food, with a focus on implementation mechanisms at country level, hosted by the Government of Germany, and takes note with interest of the report of this meeting;[48]

15. *Supports* the recommendation that the High Commissioner organize a fourth expert consultation on the right to food, with a focus on the realization of this right as part of strategies and policies for the eradication of poverty, inviting experts from all regions;

16. *Requests* the Special Rapporteur to submit a comprehensive report to the Commission on Human Rights at its fifty-eighth session and an interim report to the General Assembly at its fifty-seventh session on the implementation of the present resolution;

17. *Invites* Governments, relevant United Nations agencies, funds and programmes, treaty bodies and non-governmental organizations to cooperate fully with the Special Rapporteur in the fulfilment of his mandate, inter alia through the submission of comments and suggestions on ways and means of realizing the right to food;

18. *Decides* to continue the consideration of this matter at its fifty-seventh session under the agenda item entitled "Human rights questions".

Draft resolution X
Human rights and cultural diversity

The General Assembly,

Recalling the Universal Declaration of Human Rights,[49] the International Covenant on Economic, Social and Cultural Rights,[50] and the International

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[47] *Official Records of the Economic and Social Council, 2000, Supplement No. 2* and corrigendum (E/2000/22 and Corr.1), annex V, para. 4

[48] E/CN.4/2001/148.

[49] Resolution 217 A (III).

[50] See resolution 2200 A (XXI), annex.

Covenant on Civil and Political Rights,[51] as well as other pertinent human rights instruments,

Recalling also its resolutions 54/160 of 17 December 1999 and 55/91 of 4 December 2000, and recalling further its resolutions 54/113 of 10 December 1999 and 55/23 of 13 November 2000 on the United Nations Year of Dialogue among Civilizations,

Noting that numerous instruments within the United Nations system promote cultural diversity, as well as the conservation and development of culture, in particular the Declaration of the Principles of International Culture Cooperation, proclaimed on 4 November 1966 by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its fourteenth session,[52]

Taking note of the report of the Secretary-General on human rights and cultural diversity,[53]

Welcoming the adoption of the Global Agenda for Dialogue among Civilizations, by the General Assembly in its resolution 56/6 of 9 November 2001,

Welcoming also the contribution made through the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held at Durban, South Africa, from 31 August to 7 September 2001, to the promotion of respect for cultural diversity,

Welcoming further the Declaration on Cultural Diversity of the United Nations Educational, Scientific and Cultural Organization, together with its Action Plan, adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization at its thirty-first session on 2 November 2001, in which member States invited the United Nations system and other intergovernmental and non-governmental organizations concerned to cooperate with the United Nations Educational, Scientific and Cultural Organization on the promotion of the principles set forth in the Declaration and its Action Plan with a view to enhancing the synergy of actions in favour of cultural diversity,

Reaffirming that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis, and that, while the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms,

Recognizing that cultural diversity and the pursuit of cultural development by all peoples and nations are a source of mutual enrichment for the cultural life of humankind,

Taking into account that a culture of peace actively fosters non-violence and respect for human rights and strengthens solidarity among peoples and nations and dialogue between cultures,

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[51] Ibid.

[52] See United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Fourteenth Session, Paris, 1966, Resolutions.*

[53] A/56/204 and Add.1.

Recognizing that all cultures and civilizations share a common set of universal values,

Considering that tolerance of cultural, ethnic, religious and linguistic diversities, as well as dialogue among and within civilizations, is essential for peace, understanding and friendship among individuals and people of different cultures and nations of the world, while manifestations of cultural prejudice, intolerance and xenophobia towards different cultures and religions generate hatred and violence among peoples and nations throughout the world,

Recognizing in each culture a dignity and value that deserve recognition, respect and preservation, and convinced that, in their rich variety and diversity, and in the reciprocal influences that they exert on one another, all cultures form part of the common heritage belonging to all humankind,

Convinced that the promotion of cultural pluralism and tolerance towards and dialogue among various cultures and civilizations would contribute to the efforts of all peoples and nations to enrich their cultures and traditions by engaging in a mutually beneficial exchange of knowledge and intellectual, moral and material achievements,

1. *Affirms* the importance for all peoples and nations to hold, develop and preserve their cultural heritage and traditions in a national and international atmosphere of peace, tolerance and mutual respect;

2. *Welcomes* the United Nations Millennium Declaration[54] of 8 September 2000, which considers, inter alia, that tolerance is one of the fundamental values essential to international relations in the twenty-first century and that it should include the active promotion of a culture of peace and dialogue among civilizations, with human beings respecting one another in all their diversity of belief, culture and language, neither fearing nor repressing differences within and between societies but cherishing them as a precious asset of humanity;

3. *Recognizes* the right of everyone to take part in cultural life and to enjoy the benefits of scientific progress and its applications;

4. *Affirms* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

5. *Also affirms* that inter-cultural dialogue essentially enriches the common understanding of human rights and that the benefits to be derived from the encouragement and development of international contacts and cooperation in the cultural fields are important;

6. *Welcomes* the recognition at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance of the necessity for respecting and maximizing the benefits of diversity within and among all nations in working together to build a harmonious and productive future by putting into practice and promoting values and principles such as justice, equality and non-discrimination, democracy, fairness and friendship, tolerance and respect within and between communities and nations, in particular through public information and education programmes to raise awareness and understanding of the benefits of

[54] See resolution 55/2.

cultural diversity, including programmes where the public authorities work in partnership with international and non-governmental organizations and other sectors of civil society;

7. *Recognizes* that respect for cultural diversity and the cultural rights of all enhances cultural pluralism, contributing to a wider exchange of knowledge and understanding of cultural background, advancing the application and enjoyment of universally accepted human rights throughout the world and fostering stable friendly relations among peoples and nations worldwide;

8. *Emphasizes* that the promotion of cultural pluralism and tolerance at the national, regional and international levels is important for enhancing respect for cultural rights and cultural diversity;

9. *Also emphasizes* the fact that tolerance and respect for diversity facilitate the universal promotion and protection of human rights, including gender equality and the enjoyment of all human rights by all;

10. *Urges* all actors on the international scene to build an international order based on inclusion, justice, equality and equity, human dignity, mutual understanding and promotion of and respect for cultural diversity and universal human rights, and to reject all doctrines of exclusion based on racism, racial discrimination, xenophobia and related intolerance;

11. *Urges* States to work to ensure that their political and legal systems reflect the multicultural diversity within their societies and, where necessary, to improve democratic institutions so that they are more fully participatory and avoid marginalization and exclusion of, and discrimination against, specific sectors of society;

12. *Calls upon* States, international organizations and United Nations agencies, and invites civil society, including non-governmental organizations, to recognize and promote respect for cultural diversity for the purpose of advancing the objectives of peace, development and universally accepted human rights;

13. *Requests* the Secretary-General, in the light of the present resolution, to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the present resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit it to the General Assembly at its fifty-seventh session;

14. *Decides* to continue consideration of this question at its fifty-seventh session under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".

Draft resolution XI
Elimination of all forms of religious intolerance

The General Assembly,

Recalling that all States have pledged themselves, under the Charter of the United Nations, to promote and encourage universal respect for and observance of

human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Reaffirming that discrimination against human beings on the grounds of religion or belief constitutes an affront to human dignity and a disavowal of the principles of the Charter,

Recalling article 18 of the Universal Declaration of Human Rights,[55] article 18 of the International Covenant on Civil and Political Rights[56] and paragraph 4 of the United Nations Millennium Declaration,[57]

Reaffirming its resolution 36/55 of 25 November 1981, by which it proclaimed the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, and noting that 2001 marks the twentieth anniversary of the adoption of the Declaration,

Emphasizing that the right to freedom of thought, conscience, religion and belief is far-reaching and profound and that it encompasses freedom of thought on all matters, personal conviction and the commitment to religion or belief, whether manifested individually or in community with others, and in public or private,

Reaffirming the call of the World Conference on Human Rights for all Governments to take all appropriate measures in compliance with their international obligations and with due regard to their respective legal systems to counter intolerance and related violence based on religion or belief, including practices of discrimination against women and the desecration of religious sites, recognizing that every individual has the right to freedom of thought, conscience, expression and religion,[58]

Underlining the important role of education in the promotion of tolerance and elimination of discrimination based on religion or belief,

Calling upon all States to cooperate with the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief to enable him to carry out his mandate fully,

Alarmed that serious instances of intolerance and discrimination on the grounds of religion or belief, including acts of violence, intimidation and coercion motivated by religious intolerance, occur in many parts of the world and threaten the enjoyment of human rights and fundamental freedoms,

Deeply concerned that, as reported by the Special Rapporteur, the rights violated on religious grounds include the right to life, the right to physical integrity and to liberty and security of person, the right to freedom of expression, the right not to be subjected to torture or other cruel, inhuman or degrading treatment or punishment and the right not to be arbitrarily arrested or detained,[59]

Believing that intensified efforts are therefore required to promote and protect the right to freedom of thought, conscience, religion and belief and to eliminate all forms of hatred, intolerance and discrimination based on religion or belief, as also

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[55] Resolution 217 A (III).

[56] Resolution 2200 A (XXI), annex.

[57] Resolution 55/2.

[58] See A/CONF.157/24 (Part I), chap. III, sect. II, para. 22.

[59] See E/CN.4/1994/79, para. 103.

emphasized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,

1. *Reaffirms* that freedom of thought, conscience, religion and belief is a human right derived from the inherent dignity of the human person and guaranteed to all without discrimination;

2. *Urges* States to ensure that their constitutional and legal systems provide effective guarantees of freedom of thought, conscience, religion and belief, including the provision of effective remedies in cases in which the right to freedom of thought, conscience, religion or belief is violated;

3. *Also urges* States to ensure, in particular, that no one within their jurisdiction is, because of their religion or belief, deprived of the right to life or the right to liberty and security of person, or subjected to torture or arbitrary arrest or detention;

4. *Further urges* States, in conformity with international standards of human rights, to take all necessary action to combat hatred, intolerance and acts of violence, intimidation and coercion motivated by intolerance based on religion or belief, with particular regard to persons belonging to religious minorities, and to devote particular attention to practices which violate the human rights of women and discriminate against women;

5. *Emphasizes* that, as underlined by the Human Rights Committee, restrictions on the freedom to manifest religion or belief are permitted only if those limitations that are prescribed by law are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others, and are applied in a manner that does not vitiate the right to freedom of thought, conscience and religion;

6. *Urges* States to ensure that, in the course of their official duties, members of law enforcement bodies and the military, civil servants, educators and other public officials respect different religions and beliefs and do not discriminate against persons professing other religions or beliefs, and that any necessary and appropriate education or training is provided;

7. *Calls upon* all States to recognize, as provided in the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right of all persons to worship or assemble in connection with a religion or belief and to establish and maintain places for those purposes;

8. *Expresses its grave concern* at any attack upon religious places, sites and shrines, and calls upon all States, in accordance with their national legislation and in conformity with international human rights standards, to exert their utmost efforts to ensure that such places, sites and shrines are fully respected and protected, and to take additional measures in cases where they are vulnerable to desecration or destruction;

9. *Recognizes* that legislation alone is not enough to prevent violations of human rights, including the right to freedom of religion or belief, and that the exercise of tolerance and non-discrimination by persons and groups is necessary for the full realization of the aims of the Declaration, and in this regard invites States, religious bodies and civil society to undertake dialogue at all levels to promote greater tolerance, respect and understanding of freedom of religion or belief and to

encourage and promote, through the educational system and by other means, understanding, tolerance and respect in matters relating to freedom of religion or belief;

10. *Takes note with appreciation* of the interim report of the Special Rapporteur of the Commission on Human Rights on freedom of religion or belief,[60] and encourages his continued efforts to examine incidents and governmental actions in all parts of the world that are incompatible with the provisions of the Declaration and to recommend remedial measures, as appropriate;

11. *Encourages* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him to fulfil his mandate even more effectively;

12. *Welcomes* the initiatives of Governments and non-governmental organizations to collaborate with the Special Rapporteur, including the convening of an international consultative conference on school education in relation to freedom of religion or belief in Madrid in November 2001, and encourages Governments, non-governmental organizations and other interested parties to participate actively in the conference;

13. *Encourages* Governments, when seeking the assistance of the United Nations Programme of Advisory Services and Technical Assistance in the Field of Human Rights, to consider, where appropriate, including requests for assistance in the field of the promotion and protection of the right to freedom of thought, conscience and religion;

14. *Welcomes and encourages* the continuing efforts of non-governmental organizations and religious bodies and groups to promote the implementation and dissemination of the Declaration, and further encourages their work in relation to promoting freedom of religion or belief and in highlighting cases of religious intolerance, discrimination and persecution;

15. *Requests* the Commission on Human Rights to continue its consideration of measures to implement the Declaration;

16. *Requests* the Secretary-General to ensure that the Special Rapporteur receives the necessary resources to enable him to discharge his mandate;

17. *Decides* to consider the question of the elimination of all forms of religious intolerance at its fifty-seventh session under the item entitled "Human rights questions", and requests the Special Rapporteur to submit an interim report to the General Assembly on the item.

[60] See A/56/253.

Draft resolution XII
National institutions for the promotion and protection of human rights

The General Assembly,

Recalling the relevant resolutions of the General Assembly and the Commission on Human Rights concerning national institutions for the promotion and protection of human rights,

Welcoming the rapidly growing interest throughout the world in the creation and strengthening of independent, pluralistic national institutions for the promotion and protection of human rights,

Convinced of the important role such national institutions play and will continue to play in promoting and protecting human rights and fundamental freedoms and in developing and enhancing public awareness of those rights and freedoms,

Recognizing that the United Nations has played an important role and should continue to play a more important role in assisting the development of national institutions,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[61] which reaffirmed the important and constructive role played by national human rights institutions, in particular in their advisory capacity to the competent authorities and their role in remedying human rights violations, in disseminating information on human rights and in education in human rights,

Recalling also the Platform for Action adopted by the Fourth World Conference on Women,[62] in which Governments were urged to create or strengthen independent national institutions for the promotion and protection of human rights, including the human rights of women,

Noting the diverse approaches adopted throughout the world for the protection and promotion of human rights at the national level, emphasizing the universality, indivisibility and interdependence of all human rights, and emphasizing and recognizing the value of such approaches in promoting universal respect for and observance of human rights and fundamental freedoms,

Noting with satisfaction the constructive participation of representatives of national institutions for the promotion and protection of human rights in, and their positive contribution to, the deliberations of the World Conference on Human Rights, the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance and the Commission on Human Rights, as well as international seminars and workshops on human rights organized or sponsored by the United Nations,

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[61] A/CONF.157/24 (Part I), chap. III.

[62] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.

Welcoming the strengthening in all regions of regional cooperation among national human rights institutions and between national human rights institutions and other regional human rights forums,

Welcoming also the strengthening of international cooperation among national human rights institutions, including through the International Coordinating Committee of National Institutions,

1. *Welcomes* the report of the Secretary-General;[63]

2. *Reaffirms* the importance of the development of effective, independent and pluralistic national institutions for the promotion and protection of human rights, in keeping with the principles relating to the status of national institutions for the promotion and protection of human rights contained in the annex to General Assembly resolution 48/134 of 20 December 1993;

3. *Recognizes* that, in accordance with the Vienna Declaration and Programme of Action,[61] it is the right of each State to choose the framework for the national institutions that is best suited to its particular needs at the national level in order to promote human rights in accordance with international human rights standards;

4. *Encourages* Member States to establish or, where they already exist, to strengthen national institutions for the promotion and protection of human rights, as outlined in the Vienna Declaration and Programme of Action;

5. *Welcomes* the growing number of States establishing or considering the establishment of national institutions for the promotion and protection of human rights;

6. *Encourages* national institutions for the promotion and protection of human rights established by Member States to continue to play an active role in preventing and combating all violations of human rights as enumerated in the Vienna Declaration and Programme of Action and relevant international instruments;

7. *Takes note with satisfaction* of the efforts of those States that have provided their national institutions with more autonomy and independence, including through giving them an investigative role or enhancing such a role, and encourages other Governments to consider taking similar steps;

8. *Reaffirms* the role of national institutions, where they exist, as appropriate agencies, inter alia, for the dissemination of human rights materials and other public information activities, including those of the United Nations, particularly in the context of the United Nations Decade for Human Rights Education 1995-2004;

9. *Urges* the Secretary-General to continue to give high priority to requests from Member States for assistance in the establishment and strengthening of national human rights institutions as part of the programme of advisory services and technical assistance in the field of human rights;

10. *Commends* the high priority given by the Office of the United Nations High Commissioner for Human Rights to work on national institutions, and, in view

[63] A/56/255.

of the expanded activities related to national institutions, encourages the High Commissioner to ensure that appropriate arrangements are made and budgetary resources provided to continue and further extend activities in support of national human rights institutions, and invites Governments to contribute additional, earmarked funds to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights for that purpose;

11. *Notes with appreciation* the increasingly active and important role of the International Coordinating Committee of National Institutions, as recognized in Commission on Human Rights resolution 1994/54 of 4 March 1994,[64] in close cooperation with the Office of the High Commissioner, in assisting Governments and national institutions, when requested, to follow up on relevant resolutions and recommendations concerning the strengthening of national institutions;

12. *Also notes with appreciation* the holding of regular meetings of the International Coordinating Committee of National Institutions and the arrangements for the participation of national human rights institutions in the annual sessions of the Commission on Human Rights;

13. *Requests* the Secretary-General to continue to provide the necessary assistance for holding meetings of the International Coordinating Committee of National Institutions during the sessions of the Commission on Human Rights, in cooperation with the Office of the High Commissioner;

14. *Welcomes* the continuation of the practice of national institutions convening regional meetings in some regions and its initiation in others, and encourages national institutions, in cooperation with the United Nations High Commissioner for Human Rights, to organize similar events with Governments and non-governmental organizations in their own regions;

15. *Requests* the Secretary-General to continue to provide, including from the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights, the necessary assistance for international and regional meetings of national institutions;

16. *Recognizes* the important and constructive role that non-governmental organizations may play, in cooperation with national institutions, for better promotion and protection of human rights;

17. *Encourages* all Member States to take appropriate steps to promote the exchange of information and experience concerning the establishment and effective operation of such national institutions;

18. *Also encourages* all United Nations entities, funds and agencies to work in close cooperation with national institutions in the promotion and protection of human rights;

19. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution.

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[64] See *Official Records of the Economic and Social Council, 1994, Supplement No. 4* and corrigendum (E/1994/24 and Corr.1), chap. II, sect. A.

Draft resolution XIII
Strengthening the role of the United Nations in enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization

The General Assembly,

Recalling its previous resolutions on the subject, in particular resolution 54/173 of 17 December 1999,

Reaffirming that United Nations electoral assistance and support for the promotion of democratization are provided only at the specific request of the Member State concerned,

Noting with satisfaction that increasing numbers of Member States are using elections as peaceful means of discerning the will of the people and confidence-building, thereby contributing to greater national peace and stability,

Recalling the Universal Declaration of Human Rights, adopted on 10 December 1948,[65] in particular the principle that the will of the people as expressed through periodic and general elections shall be the basis of government authority, as well as the right freely to choose representatives through periodic and genuine elections, which shall be by universal and equal suffrage and held by secret vote or by equivalent free voting procedures,

Noting with interest Commission on Human Rights resolutions 2001/41 of 23 April 2001 and 2001/72 of 25 April 2001,[66]

Recognizing the need for strengthening democratic processes, electoral institutions and national capacity-building, including the capacity to administer fair elections, increase citizen participation and provide civic education in requesting countries in order to consolidate and regularize the achievements of previous elections and support subsequent elections,

Welcoming the support provided by States to the electoral assistance activities of the United Nations, inter alia, through the provision of electoral experts, including electoral commission staff, and observers, as well as through contributions to the United Nations Trust Fund for Electoral Observation,

Welcoming the contributions made by international and regional organizations and also by non-governmental organizations to enhancing the effectiveness of the principle of periodic and genuine elections and the promotion of democratization,

Having considered the report of the Secretary-General on United Nations activities aimed at enhancing the effectiveness of the principle of periodic and genuine elections,[67]

1. *Welcomes* the report of the Secretary-General;[67]

2. *Commends* the electoral assistance provided upon request to Member States by the United Nations, and requests that such assistance continue on a case-

[65] Resolution 217 A (III).

[66] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[67] A/56/344.

by-case basis in accordance with the evolving needs of requesting countries to develop, improve and refine their electoral institutions and processes, recognizing that the fundamental responsibility of organizing free and fair elections lies with Governments;

3. *Requests* the Electoral Assistance Division of the Department of Political Affairs of the Secretariat, in its role as coordinator of United Nations electoral assistance, to continue to inform Member States regularly about the requests received and the nature of any assistance provided;

4. *Requests* that the United Nations continue its efforts to ensure, before undertaking to provide electoral assistance to a requesting State, that there is adequate time to organize and carry out an effective mission for providing such assistance, including the provision of long-term technical cooperation, that conditions exist to allow a free and fair election, and that the mission's results will be reported on comprehensively and consistently;

5. *Recommends* that, throughout the entire electoral process time-span, including before and after elections, as appropriate, based on needs assessment missions, the United Nations continue to provide technical advice and other assistance to requesting States and electoral institutions in order to help strengthen their democratic processes;

6. *Notes with satisfaction* the comprehensive coordination between the Electoral Assistance Division and the United Nations Development Programme, and encourages further engagement of the Office of the United Nations High Commissioner for Human Rights in this context;

7. *Requests* the United Nations Development Programme to continue its governance assistance programmes in cooperation with other relevant organizations, in particular those that strengthen democratic institutions and linkages between civil society and Governments;

8. *Reiterates* the importance of reinforced coordination within and outside the United Nations system in this regard;

9. *Notes with appreciation* additional efforts being made to enhance cooperation with other international, governmental and non-governmental organizations in order to facilitate more comprehensive and needs-specific responses to requests for electoral assistance, and expresses appreciation to those Member States, regional organizations and non-governmental organizations that have provided observers or technical experts in support of United Nations electoral assistance efforts;

10. *Recalls* the establishment by the Secretary-General of the United Nations Trust Fund for Electoral Observation, and calls upon Member States to consider contributing to the Fund;

11. *Encourages* the Secretary-General, through the Electoral Assistance Division, to continue responding to the evolving nature of requests for assistance and the growing need for specific types of medium-term expert assistance aimed at supporting and strengthening the existing capacity of the requesting Government, in particular through enhancing the capacity of national electoral institutions;

12. *Requests* the Secretary-General to provide the Electoral Assistance Division with adequate human and financial resources to allow it to carry out its mandate and to continue to ensure that the Office of the United Nations High Commissioner for Human Rights is able to respond, within its mandate and in close coordination with the Electoral Assistance Division, to the numerous and increasingly complex and comprehensive requests from Member States for advisory services;

13. *Also requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution, in particular on the status of requests from Member States for electoral assistance, and on his efforts to enhance the Organization's support of the democratization process in Member States.

Draft resolution XIV
Human rights and terrorism

The General Assembly,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights,[68] the Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations[69] and the International Covenants on Human Rights,[70]

Recalling the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[71] as well as the Declaration on Measures to Eliminate International Terrorism,[72]

Recalling also the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[73] in which the Conference reaffirmed that acts, methods and practices of terrorism in all its forms and manifestations, as well as its linkage in some countries to drug trafficking, are activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening territorial integrity and the security of States and destabilizing legitimately constituted Governments and that the international community should take the necessary steps to enhance cooperation to prevent and combat terrorism,

Recalling further the United Nations Millennium Declaration adopted by the General Assembly,[74]

Recalling its resolutions 48/122 of 20 December 1993, 49/185 of 23 December 1994, 50/186 of 22 December 1995, 52/133 of 12 December 1997 and 54/164 of 17 December 1999,

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[68] Resolution 217 A (III).
[69] Resolution 2625 (XXV), annex.
[70] Resolution 2200 A (XXI), annex.
[71] See resolution 50/6.
[72] Resolution 49/60, annex.
[73] A/CONF.157/24 (Part I), chap. III.
[74] See resolution 55/2.

Recalling in particular that in its resolution 52/133 it requested the Secretary-General to seek the views of Member States on the implications of terrorism, in all its forms and manifestations, for the full enjoyment of human rights and fundamental freedoms,

Recalling previous resolutions of the Commission on Human Rights, and taking note, in particular, of resolution 2001/37 of 23 April 2001,[75] as well as the relevant resolutions of the Subcommission on the Promotion and Protection of Human Rights, particularly its resolution 2001/18, adopted unanimously on 16 August 2001,[76]

Noting all other relevant General Assembly resolutions,

Noting also relevant Security Council resolutions,

Aware that, at the dawn of the twenty-first century, the world is witness to historical and far-reaching transformations in the course of which forces of aggressive nationalism and religious and ethnic extremism continue to produce fresh challenges,

Alarmed that acts of terrorism in all its forms and manifestations aimed at the destruction of human rights have continued despite national and international efforts,

Bearing in mind that the right to life is the basic human right, without which a human being can exercise no other right,

Bearing in mind also that terrorism creates an environment that destroys the right of people to live in freedom from fear,

Reiterating that all States have an obligation to promote and protect all human rights and fundamental freedoms and that every individual should strive to secure their universal and effective recognition and observance,

Seriously concerned about the gross violations of human rights perpetrated by terrorist groups,

Profoundly deploring the increasing number of innocent persons, including women, children and the elderly, killed, massacred and maimed by terrorists in indiscriminate and random acts of violence and terror, which cannot be justified under any circumstances,

Expressing its deepest sympathy and condolences to all the victims of terrorism and their families,

Noting with great concern the growing connection between terrorist groups and other criminal organizations engaged in the illegal traffic in arms and drugs at the national and international levels, as well as the consequent commission of serious crimes such as murder, extortion, kidnapping, assault, the taking of hostages and robbery,

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[75] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[76] E/CN.4/SUB.2/RES/2001/18.

Alarmed in particular at the possibility that terrorist groups may exploit new technologies to facilitate acts of terrorism, which may cause massive damage, including a huge loss of human life,

Emphasizing the need to intensify the fight against terrorism at the national level, to enhance effective international cooperation in combating terrorism in conformity with international law and to strengthen the role of the United Nations in this respect,

Emphasizing also the importance of Member States taking appropriate steps to deny safe haven to those who plan, finance or commit terrorist acts by ensuring their apprehension and prosecution or extradition,

Reaffirming that all measures to counter terrorism must be in strict conformity with the relevant provisions of international law, including international human rights standards,

Mindful of the need to protect the human rights of and guarantees for the individual in accordance with the relevant human rights principles and instruments, in particular the right to life,

Taking note of the growing consciousness within the international community of the negative effects of terrorism in all its forms and manifestations on the full enjoyment of human rights and fundamental freedoms and on the establishment of the rule of law and democratic freedoms as enshrined in the Charter of the United Nations and the International Covenants on Human Rights,

1. *Expresses its solidarity* with the victims of terrorism;

2. *Strongly condemns* the violations of the right to live free from fear and of the right to life, liberty and security;

3. *Reiterates its unequivocal condemnation* of the acts, methods and practices of terrorism, in all its forms and manifestations, as activities aimed at the destruction of human rights, fundamental freedoms and democracy, threatening the territorial integrity and security of States, destabilizing legitimately constituted Governments, undermining pluralistic civil society and having adverse consequences for the economic and social development of States;

4. *Reaffirms* the decision of the heads of State and Government, as contained in the Millennium Declaration,[74] to take concerted action against international terrorism and to accede as soon as possible to all the relevant regional and international conventions,

5. *Urges* the international community to enhance cooperation at the regional and international levels in the fight against terrorism, in accordance with relevant international instruments, including those relating to human rights, with the aim of its eradication;

6. *Calls upon* States to take all necessary and effective measures in accordance with relevant provisions of international law, including international human rights standards, to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomever committed, and also calls upon States to strengthen, where appropriate, their legislation to combat terrorism in all its forms and manifestations;

7. *Urges* all States to deny safe haven to terrorists;

8. *Calls upon* States to take appropriate measures, in conformity with relevant provisions of national and international law, including international human rights standards, before granting refugee status, for the purpose of ensuring that an asylum-seeker has not planned, facilitated or participated in the commission of terrorist acts, including assassinations, and, in this context, urges those States that have granted refugee status or asylum to persons involved or have claimed acts of terrorism to review these situations;

9. *Condemns* the incitement of ethnic hatred, violence and terrorism;

10. *Commends* those Governments that have communicated their views on the implications of terrorism in response to the notes verbales by the Secretary-General dated 16 August 1999 and 4 September 2000;

11. *Welcomes* the report of the Secretary-General,[77] and requests him to continue to seek the views of Member States on the implications of terrorism, in all its forms and manifestations, for the full enjoyment of all human rights and fundamental freedoms and on the possible establishment of a voluntary Fund for the victims of terrorism, as well as on ways and means to rehabilitate the victims of terrorism and to reintegrate them into society, with a view to incorporating his findings in his report to the General Assembly;

12. *Decides* to consider this question at its fifty-eighth session, under the item entitled "Human rights questions".

Draft resolution XV
Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 8, 9 and 10 of the Universal Declaration of Human Rights[78] and the relevant provisions of the International Covenant on Civil and Political Rights and the Optional Protocols thereto,[79] in particular article 6 of the Covenant, which states, inter alia, that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age, and article 10, which provides that all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person,

Bearing in mind also the relevant provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;[80] of the International Convention on the Elimination of All Forms of Racial Discrimination,[81] in particular the right to equal treatment before the tribunals and all other organs administering justice; of the Convention on the Rights of the Child,[82] in particular article 37, according to which every child deprived of liberty

[77] A/56/190.
[78] Resolution 217 A (III).
[79] See resolution 2200 A (XXI), annex, and resolution 44/128, annex.
[80] Resolution 39/46, annex.
[81] Resolution 2106 A (XX), annex.
[82] Resolution 44/25, annex.

shall be treated in a manner which takes into account the needs of persons of his or her age; and of the Convention on the Elimination of All Forms of Discrimination against Women,[83] in particular the obligation to treat men and women equally in all stages of procedures in courts and tribunals,

Calling attention to the numerous international standards in the field of the administration of justice,

Emphasizing that the right to access to justice as contained in applicable international human rights instruments forms an important basis for strengthening the rule of law through the administration of justice,

Mindful of the importance of ensuring respect for the rule of law and human rights in the administration of justice, in particular in post-conflict situations, as a crucial contribution to building peace and justice and ending impunity,

Recalling the Guidelines for Action on Children in the Criminal Justice System[84] and the establishment and subsequent meetings of the coordination panel on technical advice and assistance in juvenile justice,

Calling attention to the relevant provisions of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century,[85] and of the plans of action for its implementation and follow-up,

Recalling its resolution 54/163 of 17 December 1999, and taking note of Commission on Human Rights resolution 2000/39 of 20 April 2000 and Economic and Social Council resolution 1999/28 of 28 July 1999,

1. *Reaffirms* the importance of the full and effective implementation of all United Nations standards on human rights in the administration of justice;

2. *Reiterates its call* to all Member States to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as adequate resources, to ensure the full implementation of those standards;

3. *Invites* Governments to provide training, including gender-sensitive training, in human rights in the administration of justice, including juvenile justice, to all judges, lawyers, prosecutors, social workers, immigration and police officers, and other professionals concerned, including personnel deployed in international field presences;

4. *Invites* States to make use of technical assistance offered by the relevant United Nations programmes in order to strengthen national capacities and infrastructures in the field of administration of justice;

5. *Appeals* to Governments to include in their national development plans the administration of justice as an integral part of the development process and to allocate adequate resources for the provision of legal-aid services with a view to the promotion and protection of human rights, and invites the international community to respond favourably to requests for financial and technical assistance for the enhancement and strengthening of the administration of justice;

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[83] Resolution 34/180, annex.

[84] Economic and Social Council resolution 1997/30, annex.

[85] Resolution 55/59, annex.

6. *Encourages* the regional commissions, the specialized agencies and United Nations institutes in the areas of human rights and crime prevention and criminal justice, and other relevant parts of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field, and other segments of civil society, including the media, to continue to develop their activities in promoting human rights in the administration of justice;

7. *Invites* the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice, as well as the Office of the United Nations High Commissioner for Human Rights and the Centre for International Crime Prevention, to coordinate closely their activities relating to the administration of justice;

8. *Calls upon* mechanisms of the Commission on Human Rights and its subsidiary bodies, including special rapporteurs, special representatives and working groups, to continue to give special attention to questions relating to the effective promotion and protection of human rights in the administration of justice, including juvenile justice, and to provide, where appropriate, specific recommendations in this regard, including proposals for advisory services and technical assistance measures;

9. *Calls upon* the United Nations High Commissioner for Human Rights to reinforce, within her mandate, her activities relating to national capacity-building in the field of administration of justice, in particular in post-conflict situations;

10. *Encourages* the Office of the United Nations High Commissioner for Human Rights to continue organizing training courses and other relevant activities aimed at enhancing the promotion and protection of human rights in the field of administration of justice, and commends the Office for its work on the development of a human rights manual for judges, prosecutors and lawyers in the framework of the Decade for Human Rights Education (1995-2004);

11. *Welcomes* the increased attention paid to the issue of juvenile justice by the High Commissioner, in particular through technical assistance activities, and, taking into account that international cooperation to promote juvenile justice reform has become a priority within the United Nations system, encourages further activities, within her mandate, in this regard;

12. *Calls upon* the coordination panel on technical advice and assistance in juvenile justice to increase further cooperation among the partners involved, to share information and pool their capacities and interests in order to increase the effectiveness of programme implementation;

13. *Underlines* the importance of rebuilding and strengthening structures for the administration of justice and respect for the rule of law and human rights in post-conflict situations, and requests the Secretary-General to ensure system-wide coordination and coherence of programmes and activities of the relevant parts of the United Nations system in the field of the administration of justice in post-conflict situations, including assistance provided through United Nations field presences;

14. *Stresses* the special need for national capacity-building in the field of the administration of justice, in particular through reform of the judiciary, the police and the penal system, as well as juvenile justice reform, in order to establish and maintain stable societies and the rule of law in post-conflict situations, and in this context welcomes the role of the Office of the United Nations High Commissioner

for Human Rights in supporting the establishment and functioning of transitional justice mechanisms in post-conflict situations;

15. *Decides* to consider the question of human rights in the administration of justice at its fifty-eighth session, under the item entitled "Human rights questions".

Draft resolution XVI
Effective promotion of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities

The General Assembly,

Recalling its resolution 47/135 of 18 December 1992, as well as its subsequent resolutions on the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities,

Considering that the promotion and protection of the rights of persons belonging to national or ethnic, religious and linguistic minorities contribute to political and social stability and peace and enrich the cultural diversity and heritage of society as a whole in the States in which such persons live,

Concerned by the frequency and severity of disputes and conflicts concerning minorities in many countries and their often tragic consequences, and concerned also that persons belonging to minorities are particularly vulnerable to displacement through, inter alia, population transfers, refugee flows and forced relocation,

Recognizing that the effective promotion and protection of the rights of persons belonging to minorities is a fundamental part of the promotion and protection of human rights, and acknowledging that measures in this area can also contribute significantly to conflict prevention,

Emphasizing the importance of human rights education as an effective tool to promote an inclusive society and understanding of and tolerance towards and among persons belonging to minorities,

Acknowledging that the United Nations has an important role to play regarding the protection of minorities by, inter alia, taking due account of and giving effect to the Declaration,

Noting that the Working Group on Minorities of the Subcommission on the Promotion and Protection of Human Rights of the Commission on Human Rights held its sixth and seventh sessions from 22 to 26 May 2000[86] and 14 to 18 May 2001,[87] respectively,

1. *Takes note* of the report of the Secretary-General;[88]

2. *Recognizes* that respect for human rights and the promotion of understanding and tolerance by Governments as well as between and among minorities are central to the protection and promotion of the rights of persons belonging to minorities;

[86] E/CN.4/Sub.2/2000/27 and Corr.1.
[87] E/CN.4/Sub.2/2001/22.
[88] A/56/258.

3. *Reaffirms* the obligation of States to ensure that persons belonging to minorities may exercise fully and effectively all human rights and fundamental freedoms without any discrimination and in full equality before the law, in accordance with the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, and as emphasized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance held at Durban, South Africa, from 31 August to 8 September 2001;

4. *Urges* States and the international community to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities, as set out in the Declaration, including through the provision of adequate education and the facilitation of their participation in all aspects of the political, economic, social, religious and cultural life of society and in the economic progress and development of their country, and to apply a gender perspective while doing so;

5. *Calls upon* States to give special attention to the promotion and protection of the human rights of children, girls as well as boys, belonging to minorities;

6. *Urges* States to take, as appropriate, all necessary constitutional, legislative, administrative and other measures to promote and give effect to the Declaration, and appeals to States to cooperate bilaterally and multilaterally, in accordance with the Declaration, in order to promote and protect the rights of persons belonging to national or ethnic, religious and linguistic minorities;

7. *Calls upon* States to take all appropriate measures to protect cultural and religious sites of national or ethnic, religious and linguistic minorities;

8. *Calls upon* the Secretary-General to make available, at the request of Governments concerned, qualified expertise on minority issues, including the prevention and resolution of disputes, to assist in existing or potential situations involving minorities;

9. *Calls upon* the United Nations High Commissioner for Human Rights to promote, within her mandate, the implementation of the Declaration and to continue to engage in a dialogue with Governments for that purpose, and in this regard draws attention to the work on the United Nations Guide for Minorities;

10. *Requests* the High Commissioner to continue her efforts to improve the coordination and cooperation among United Nations programmes and agencies on activities related to the promotion and protection of the rights of persons belonging to minorities and to take the work of relevant regional organizations active in the field of human rights into account in her endeavours;

11. *Welcomes* the inter-agency consultation of the High Commissioner with United Nations programmes and agencies on minority issues, and calls upon those programmes and agencies to contribute actively to this process;

12. *Invites* the human rights treaty bodies, when considering reports submitted by States parties, as well as the reports of special representatives, special rapporteurs and working groups of the Commission on Human Rights, to continue to give attention, within their respective mandates, to situations involving and the rights of persons belonging to national or ethnic, religious and linguistic minorities;

13. *Encourages* intergovernmental and non-governmental organizations to continue to contribute to the promotion and protection of the rights of persons belonging to nat..nal or ethnic, religious and linguistic minorities;

14. *Calls upon* the Working Group on Minorities of the Subcommission on the Promotion and Protection of Human Rights to implement further its mandate with the involvement of a wide range of participants;

15. *Invites* the High Commissioner to seek voluntary contributions to facilitate the effective participation, including through training seminars, in the work of the Working Group on Minorities of representatives of non-governmental organizations and persons belonging to minorities, in particular those from developing countries;

16. *Requests* the Secretary-General to report to the General Assembly at its fifty-eighth session on the implementation of the present resolution, and to continue to include examples of good practices in the field of education and of the effective participation of minorities in decision-making processes;

17. *Decides* to continue consideration of this question at its fifty-eighth session, under the item entitled "Human rights questions".

Draft resolution XVII
Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms

The General Assembly,

Recalling its resolution 53/144 of 9 December 1998, by which the Assembly adopted, by consensus, the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms,[89]

Reiterating the importance of this Declaration and its promotion and implementation,

Noting with deep concern that, in many countries, persons and organizations engaged in promoting and defending human rights and fundamental freedoms are facing threats, harassment and insecurity as a result of those activities,

Noting also with deep concern the considerable number of communications received by the Special Representative of the Secretary-General on human rights defenders that, together with the reports submitted by some of the special procedure mechanisms, indicate the serious nature of the risks faced by human rights defenders,

Noting further with deep concern that, in a number of countries in all regions of the world, impunity for threats, attacks and acts of intimidation against human rights defenders persists and that this has a negative impact on the work and safety of human rights defenders,

[89] Resolution 53/144, annex.

Emphasizing the important role that individuals, non-governmental organizations and groups play in the promotion and protection of human rights and fundamental freedoms, including in combating impunity,

Welcoming the cooperation between the Special Representative of the Secretary-General on human rights defenders and other special procedures of the Commission on Human Rights,

Recalling that the primary responsibility for promoting and protecting human rights rests with the State, and noting with deep concern that the activities of non-State actors pose a major threat to the security of human rights defenders,

Emphasizing the need for strong and effective measures for the protection of human rights defenders,

1. *Calls upon* all States to promote and give full effect to the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms;[89]

2. *Notes with appreciation* the reports of the Special Representative of the Secretary-General on human rights defenders;[90]

3. *Emphasizes* the importance of combating impunity, and, in this regard, urges States to take appropriate measures to address the question of impunity for threats, attacks and acts of intimidation against human rights defenders;

4. *Urges* all Governments to cooperate with and assist the Special Representative in the performance of her tasks and to furnish all information in the fulfilment of her mandate upon request;

5. *Requests* all concerned United Nations agencies and organizations, within their mandates, to provide all possible assistance and support to the Special Representative in the implementation of her programme of activities;

6. *Calls upon* all States to take all necessary measures to ensure the protection of human rights defenders;

7. *Decides* to consider this question at its fifty-seventh session, under the item entitled "Human rights questions".

Draft resolution XVIII
Protection of and assistance to internally displaced persons

The General Assembly,

Deeply disturbed by the alarmingly high numbers of internally displaced persons throughout the world who receive inadequate protection and assistance, and conscious of the serious problem this is creating for the international community,

Conscious of the human rights and the humanitarian dimensions of the problem of internally displaced persons and the responsibilities this poses for States and the international community to explore methods and means better to address their protection and assistance needs,

[90] A/56/341 and E/CN.4/2001/94.

Noting the growing awareness of the international community of the issue of internally displaced persons worldwide and of the urgency of addressing the root causes of their displacement and of finding durable solutions, including voluntary return in safety and with dignity or local integration,

Emphasizing that national authorities have the primary responsibility to provide protection and assistance to internally displaced persons within their jurisdiction as well as to address the root causes for the displacement problem in cooperation with the international community,

Recalling the relevant norms of international human rights law, international humanitarian law and analogous refugee law, and recognizing that the protection of internally displaced persons has been strengthened by identifying, reaffirming and consolidating specific standards for their protection, in particular through the Guiding Principles on Internal Displacement,[91]

Recalling also Commission on Human Rights resolution 2001/54 of 24 April 2001,[92] as well as the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[93] regarding the need to develop global strategies to address the problem of internal displacement,

Deploring practices of forced displacement and their negative consequences for the enjoyment of fundamental human rights by large groups of populations,

Noting with appreciation the work of the Representative of the Secretary-General on internally displaced persons in developing a normative framework, in particular a compilation and analysis of legal norms and the development of guiding principles analysing institutional arrangements, undertaking dialogue with Governments and issuing a series of reports on particular country situations together with proposals for remedial measures,

Welcoming the cooperation established between the Representative of the Secretary-General and the United Nations and other international and regional organizations, in particular the participation of the Representative of the Secretary-General in the meetings of the Inter-Agency Standing Committee and its subsidiary bodies, and encouraging further strengthening of this collaboration in order to promote better assistance, protection and development strategies for internally displaced persons,

Recognizing the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons, and in this regard, welcoming the establishment of the Senior Inter-Agency Network on Internal Displacement and the decision to set up within the Office for the Coordination of Humanitarian Affairs of the Secretariat a unit for coordinating activities regarding internally displaced persons in order better to promote assistance, protection and development strategies for internally displaced persons, as well as to enhance further accountability by the United Nations system,

Acknowledging with appreciation the independent coordination within, as well as the independent work of, the International Red Cross and Red Crescent

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[91] E/CN.4/1998/53/Add.2, annex.

[92] *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

[93] A/CONF.157/24 (Part I), chap. III.

Movement and other humanitarian agencies in protecting and assisting internally displaced persons, in cooperation with relevant international bodies,

Recalling its resolution 54/167 of 17 December 1999,

1. *Welcomes* the report of the Representative of the Secretary-General on internally displaced persons;[94]

2. *Commends* the Representative of the Secretary-General for the activities undertaken so far, for the catalytic role he continues to play in raising the level of consciousness about the plight of internally displaced persons and for his efforts to promote a comprehensive strategy that focuses on prevention as well as better protection, assistance and development for internally displaced persons;

3. *Expresses its appreciation* to those Governments and intergovernmental and non-governmental organizations that have provided assistance and protection to internally displaced persons and have supported the work of the Representative of the Secretary-General;

4. *Encourages* the Representative of the Secretary-General, through continuous dialogue with Governments and all intergovernmental and non-governmental organizations concerned, to continue his analysis of the causes of internal displacement, the needs and rights of those displaced, measures of prevention and ways to strengthen protection, assistance and solutions for internally displaced persons, taking into account specific situations, and to include information thereon in his reports to the Commission on Human Rights and the General Assembly;

5. *Welcomes* the specific attention paid by the Representative of the Secretary-General to the special assistance, protection and development needs of internally displaced women, children and other groups with specific needs and his commitment to pay more systematic and in-depth attention to their needs;

6. *Also welcomes* the fact that the Representative of the Secretary-General has made use of the Guiding Principles on Internal Displacement[91] in his dialogue with Governments and intergovernmental and non-governmental organizations, and requests him to continue his efforts in that regard, including considering strategies for addressing such concerns;

7. *Notes with appreciation* that an increasing number of States, United Nations agencies and regional and non-governmental organizations are making use of the Guiding Principles, encourages the further dissemination and application of the Guiding Principles, expresses its appreciation for the dissemination and promotion of the Guiding Principles at regional and other seminars on displacement, and encourages the Representative of the Secretary-General to continue to initiate or support such seminars in consultation with regional organizations, intergovernmental and non-governmental organizations and other relevant institutions, and to provide support for efforts to promote capacity-building and use of the Guiding Principles;

8. *Calls upon* all Governments to continue to facilitate the activities of the Representative of the Secretary-General, in particular Governments with situations of internal displacement, encourages them to give serious consideration to inviting

[94] A/56/168.

the Representative to visit their countries so as to enable him to study and analyse more fully the issues involved, and thanks those Governments that have already done so;

9. *Invites* Governments to give due consideration, in dialogue with the Representative of the Secretary-General, to the recommendations and suggestions addressed to them, in accordance with his mandate, and to inform him of measures taken thereon;

10. *Calls upon* Governments to provide protection and assistance, including reintegration and development assistance, to internally displaced persons, and to facilitate the efforts of relevant United Nations agencies and humanitarian organizations in these respects, including by further improving access to internally displaced persons;

11. *Notes with appreciation* the increased attention paid to the issue of internally displaced persons in the consolidated inter-agency appeals process, and encourages further efforts to improve the integration of the protection and assistance needs of internally displaced persons in consolidated appeals;

12. *Emphasizes* the central role of the Emergency Relief Coordinator for the inter-agency coordination of protection of and assistance to internally displaced persons, and in this regard urges the Senior Inter-Agency Network on Internal Displacement and all relevant United Nations humanitarian assistance, human rights and development organizations concerned to further enhance their collaboration and coordination, especially through the Inter-Agency Standing Committee, in order to promote and better perform protection, assistance and development activities for internally displaced persons and to further enhance their accountability, as well as to provide all possible assistance and support to the Representative of the Secretary-General, and invites the Network to better inform Member States of its activities;

13. *Welcomes* the initiatives undertaken by regional organizations, such as the Organization of African Unity, the Organization of American States, the Organization for Security and Cooperation in Europe, the Council of Europe and the Economic Community of West African States, to address the assistance, protection and development needs of internally displaced persons, and encourages them and other regional organizations to strengthen their activities and their cooperation with the Representative of the Secretary-General;

14. *Notes* the establishment of the global internally displaced persons database, as advocated by the Representative of the Secretary-General, and encourages the members of the Inter-Agency Standing Committee and Governments to continue to collaborate on and support this effort, including by providing financial resources;

15. *Requests* the Secretary-General to provide his Representative, from within existing resources, with all necessary assistance to carry out his mandate effectively, and encourages the Representative to continue to seek the contribution of States, relevant organizations and institutions in order to put the work of the Representative on a more stable basis;

16. *Requests* the Representative of the Secretary-General to prepare, for consideration by the General Assembly at its fifty-eighth session, a report on the implementation of the present resolution;

17. *Decides* to continue its consideration of the question of protection of and assistance to internally displaced persons at its fifty-eighth session.

Draft resolution XIX
Globalization and its impact on the full enjoyment of all human rights

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations, and expressing in particular the need to achieve international cooperation in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction,

Recalling the Universal Declaration of Human Rights,[95] as well as the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[96]

Recalling also the International Covenant on Civil and Political Rights[97] and the International Covenant on Economic, Social and Cultural Rights,[97]

Recalling further the Declaration on the Right to Development adopted by the General Assembly in its resolution 41/128 of 4 December 1986,

Recalling the United Nations Millennium Declaration[98] and the outcome documents of the twenty-third[99] and twenty-fourth[100] special sessions of the General Assembly, held, respectively, in New York from 5 to 10 June 2000 and Geneva from 26 June to 1 July 2000,

Recalling further its resolution 55/102 of 4 December 2000,

Recognizing that all human rights are universal, indivisible, interdependent and interrelated and that the international community must treat human rights globally in a fair and equal manner, on the same footing and with the same emphasis,

Realizing that globalization affects all countries differently and makes them more exposed to external developments, positive as well as negative, including in the field of human rights,

Realizing also that globalization is not merely an economic process but also has social, political, environmental, cultural and legal dimensions which have an impact on the full enjoyment of all human rights,

Recognizing that multilateral mechanisms have a unique role to play in meeting the challenges and opportunities presented by globalization,

Expressing concern at the negative impact of international financial turbulence on social and economic development and on the full enjoyment of all human rights,

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[95] Resolution 217 A (III).
[96] A/CONF.157/24 (Part I), chap. III.
[97] See resolution 2200 A (XXI), annex.
[98] See resolution 55/2.
[99] Resolutions S/23/2, annex, and S-23/3, annex.
[100] Resolution S-24/2, annex.

Deeply concerned that the widening gap between the developed and the developing countries, and within countries, has contributed, inter alia, to deepening poverty and has adversely affected the full enjoyment of all human rights, in particular in developing countries,

Noting that human beings strive for a world that is respectful of human rights and cultural diversity and that, in this regard, they work to ensure that all activities, including those affected by globalization, are consistent with those aims,

1. *Recognizes* that, while globalization, by its impact on, inter alia, the role of the State, may affect human rights, the promotion and protection of all human rights is first and foremost the responsibility of the State;

2. *Reaffirms* that narrowing the gap between rich and poor, both within and between countries, is an explicit goal at the national and international levels, as part of the effort to create an enabling environment for the full enjoyment of all human rights;

3. *Reaffirms also* the commitment to create an environment at both the national and global levels that is conducive to development and to the elimination of poverty through, inter alia, good governance within each country and at the international level, transparency in the financial, monetary and trading systems and commitment to an open, equitable, rule-based, predictable and non-discriminatory multilateral trading and financial system;

4. *Recognizes* that, while globalization offers great opportunities, its benefits are very unevenly shared and its costs are unevenly distributed, an aspect of the process that affects the full enjoyment of all human rights, in particular in developing countries;

5. *Recognizes also* that, only through broad and sustained efforts, including policies and measures at the global level to create a shared future based upon our common humanity in all its diversity, can globalization be made fully inclusive and equitable and have a human face, thus contributing to the full enjoyment of all human rights;

6. *Affirms* that globalization is a complex process of structural transformation, with numerous interdisciplinary aspects, which has an impact on the enjoyment of civil, political, economic, social and cultural rights, including the right to development;

7. *Affirms also* that the international community should strive to respond to the challenges and opportunities posed by globalization in a manner that ensures respect for the cultural diversity of all;

8. *Underlines*, therefore, the need to continue to analyse the consequences of globalization for the full enjoyment of all human rights;

9. *Takes note* of the report of the Secretary-General on globalization and its impact on the full enjoyment of all human rights,[101] and requests the Secretary-General to further seek the views of Member States and to submit a comprehensive report on this subject to the General Assembly at its fifty-seventh session.

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[101] A/56/254 and Add.1.

Draft resolution XX
Human rights and mass exoduses

The General Assembly,

Deeply disturbed by the scale and magnitude of exoduses and displacements of people in many regions of the world and by the human suffering of refugees and displaced persons, a high proportion of whom are women and children,

Recalling its previous relevant resolutions on this subject, as well as those of the Commission on Human Rights, and the conclusions of the World Conference on Human Rights, held at Vienna from 14 to 25 June 1993,[102] which recognized, inter alia, that gross violations of human rights, persecution, political and ethnic conflicts, famine and economic insecurity, poverty and generalized violence were among the root causes leading to mass exodus and displacements of people,

Mindful of the three open debates that have taken place within the Security Council on the protection of civilians in armed conflict and the two reports of the Secretary-General on that subject,[103]

Welcoming the fiftieth anniversary of the 1951 Convention Relating to the Status of Refugees,[104] and noting the continuing relevance of the provisions of the Convention to the situation of people in mass exoduses,

Welcoming also the process of global consultations on international protection launched by the Office of the United Nations High Commissioner for Refugees, and in particular the discussions that took place on the protection of refugees in mass influx situations in March 2001,

Welcoming the increased attention being given by the United Nations, including the Office of the High Commissioner, to the problem of camp security, including through the development of operational guidelines on the separation of armed elements from refugee populations,

Stressing the importance of adherence to international humanitarian, human rights and refugee law in order to avert mass exoduses and to protect refugees and internally displaced persons, and expressing its deep concern at the lack of respect for those laws and principles, especially during armed conflict, including the denial of safe and unimpeded access to the displaced,

Reaffirming the primary responsibility of States to ensure the protection of refugees and internally displaced persons,

Noting with satisfaction the efforts by the United Nations system to develop a comprehensive approach to addressing the root causes and effects of movements of refugees and other displaced persons and the strengthening of emergency preparedness and response mechanisms,

Recognizing that the human rights machinery of the United Nations, including the mechanisms of the Commission on Human Rights and the human rights treaty bodies, has important capabilities to address human rights violations that cause

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[102] A/CONF.157/24 (Part I), chap. III.

[103] S/1999/957 and S/2001/331.

[104] United Nations, *Treaty Series*, vol. 189, No. 2545.

movements of refugees and displaced persons or prevent durable solutions to their plight,

Recognizing the complementarity between the systems for the protection of human rights and for humanitarian action, in particular the mandates of the United Nations High Commissioner for Human Rights and the United Nations High Commissioner for Refugees, as well as the work of the Representative of the Secretary-General on internally displaced persons and the Special Representative of the Secretary-General for Children and Armed Conflict, and that cooperation between them, in accordance with their respective mandates, as well as coordination between the human rights, political and security components of United Nations operations, make important contributions to the promotion and protection of human rights of persons forced into mass exodus and displacement,

Acknowledging with appreciation the coordination within, as well as the independent work of, the International Red Cross and Red Crescent Movement in protecting and assisting refugees and internally displaced persons, in cooperation with relevant United Nations bodies,

1. *Takes note* of the report of the Secretary-General;[105]

2. *Strongly deplores* ethnic and other forms of intolerance as one of the major causes of forced migratory movements, and urges States to take all necessary steps to ensure respect for human rights, especially the rights of persons belonging to minorities;

3. *Reaffirms* the need for all Governments, intergovernmental bodies and relevant international organizations to intensify their cooperation and assistance in worldwide efforts to address human rights situations that lead to, as well as the serious problems that result from, mass exoduses of refugees and displaced persons;

4. *Urges* the Secretary-General to continue to give high priority to the consolidation and strengthening of emergency preparedness and response mechanisms, including early warning activities in the humanitarian area, so that, inter alia, effective action is taken to identify all human rights abuses that contribute to mass exoduses of persons;

5. *Encourages* States that have not already done so to consider acceding to the 1951 Convention[104] and the 1967 Protocol[106] relating to the Status of Refugees and to other relevant regional instruments concerning refugees, as applicable, and relevant international instruments of human rights and humanitarian law, and to take appropriate measures to disseminate and implement those instruments domestically to encourage compliance with provisions against arbitrary and forcible displacement and greater respect for the rights of those who flee;

6. *Emphasizes* the responsibility of all States and international organizations to cooperate with those countries, particularly developing ones, affected by mass exoduses of refugees and displaced persons;

7. *Calls upon* Governments, the United Nations High Commissioner for Human Rights, the United Nations High Commissioner for Refugees and other relevant parts of the United Nations system, as well as relevant international and

[105] A/56/334.

[106] United Nations, *Treaty Series*, vol. 606, No. 8791.

non-governmental organizations, to continue to respond to assistance and protection needs of refugees and other displaced persons worldwide, including to promote durable solutions to their plight;

8. *Urges* States to uphold the civilian and humanitarian character of refugee camps and settlements, consistent with international law, inter alia, through effective measures to prevent the infiltration of armed elements, to identify and separate any such armed elements from refugee populations, to settle refugees at safe locations, where possible away from the border, and to ensure prompt and unhindered access to them by humanitarian personnel;

9. *Encourages* the special rapporteurs, special representatives and working groups of the Commission on Human Rights and the United Nations human rights treaty bodies, acting within their mandates, to seek information, where appropriate, on human rights problems that may result in mass exoduses of populations or impede their voluntary return home and, where appropriate, to include such information, together with recommendations thereon, in their reports and to bring such information to the attention of the United Nations High Commissioner for Human Rights for appropriate action in fulfilment of her mandate, in consultation with the United Nations High Commissioner for Refugees;

10. *Requests* all United Nations bodies, acting within their mandates, the specialized agencies and governmental, intergovernmental and non-governmental organizations to cooperate fully with all mechanisms of the Commission on Human Rights and, in particular, to provide them with all relevant information in their possession on the human rights situations creating or affecting refugees and displaced persons;

11. *Requests* the United Nations High Commissioner for Human Rights, in the exercise of her mandate, as set out in General Assembly resolution 48/141 of 20 December 1993, to coordinate human rights activities throughout the United Nations system and, in cooperation with the United Nations High Commissioner for Refugees, to pay particular attention to situations that cause or threaten to cause mass exoduses or displacements and to contribute to efforts to address such situations effectively and promote sustainable returns through promotion and protection measures, including human rights monitoring of those who fled or returned as part of mass exoduses, emergency preparedness and response mechanisms, early warning and information sharing, technical advice, expertise and cooperation in countries of origin as well as host countries;

12. *Welcomes* the efforts of the United Nations High Commissioner for Human Rights to contribute to the creation of an environment viable for return in post-conflict societies through initiatives such as the rehabilitation of the justice system, the creation of national institutions capable of defending human rights and broad-based programmes of human rights education and the strengthening of local non-governmental organizations through field presences and programmes of advisory services and technical cooperation;

13. *Requests* the Secretary-General to prepare and submit to the General Assembly at its fifty-eighth session a report on the implementation of the present resolution as it pertains to all aspects of human rights and mass exoduses, with particular emphasis on efforts by the United Nations system to enhance the protection of those who become displaced during mass exoduses, and to facilitate

their return and reintegration, as well as information on efforts to continue to enhance the capacity of the United Nations to avert new flows of refugees and other displaced persons and to tackle the root causes of such flows;

14. *Decides* to continue its consideration of this question at its fifty-eighth session.

Draft resolution XXI
United Nations Decade for Human Rights Education

The General Assembly,

Guided by the fundamental and universal principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights,[107]

Reaffirming article 26 of the Declaration, which states that "education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms", and recalling the provisions of other relevant international human rights instruments, that reflect the aims of this article,

Recalling the high importance attached by the World Conference on Human Rights to human rights education,[108]

Recalling also the relevant resolutions adopted by the General Assembly and the Commission on Human Rights concerning the United Nations Decade for Human Rights Education, 1995-2004,

Believing that human rights education constitutes an important vehicle for the elimination of gender-based discrimination and for ensuring equal opportunities through the promotion and protection of the human rights of women,

Convinced that every woman, man and child, in order to realize their full human potential, must be made aware of all their human rights and fundamental freedoms,

Convinced also that human rights education should involve more than the provision of information and should constitute a comprehensive, lifelong process by which people at all levels of development and in all societies learn respect for the dignity of others and the means and methods of ensuring that respect in all societies,

Recognizing that human rights education is essential to the realization of human rights and fundamental freedoms and that carefully designed training, dissemination and information programmes can have a catalytic effect on national, regional and international initiatives to promote and protect human rights and prevent human rights violations,

Convinced that human rights education contributes to a holistic concept of development consistent with the dignity of women and men of all ages, which takes into account particularly vulnerable segments of society, such as children, young persons, older persons, indigenous people, minorities, the rural and urban poor, migrant workers, refugees, persons with HIV/AIDS and disabled persons,

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[107] Resolution 217 A (III).

[108] See A/CONF.157/24 (Part I).

Affirming that human rights education is a key to changing attitudes and behaviour based on racism, racial discrimination, xenophobia and related intolerance and to promoting tolerance and respect for diversity in societies, and that such education is a determining factor in the promotion, dissemination and protection of the democratic values of justice and equity, which are essential to prevent and combat the spread of racism, racial discrimination, xenophobia and related intolerance, as was recognized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 8 September 2001,

Welcoming the holding of the International Conference on School Education in Relation to Freedom of Religion or Belief, Tolerance and Non-Discrimination, held in Madrid from 23 to 25 November 2001,

Welcoming the efforts to promote human rights education made by educators and non-governmental organizations in all parts of the world, as well as by intergovernmental organizations, including the Office of the United Nations High Commissioner for Human Rights, the United Nations Educational, Scientific and Cultural Organization, the International Labour Organization, the United Nations Children's Fund and the United Nations Development Programme,

Recognizing the invaluable and creative role that non-governmental and community-based organizations play in the promotion and protection of human rights by disseminating public information and engaging in human rights education, especially at the grass-roots level and in remote and rural communities,

Aware of the potential role of the private sector in implementing at all levels of society the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[109] and the World Public Information Campaign on Human Rights,[110] through financial support for governmental and non-governmental activities, as well as their own creative initiatives,

Convinced that the effectiveness of existing human rights education and public information activities would be enhanced by better coordination and cooperation at the national, regional and international levels,

Recalling that it is within the responsibility of the United Nations High Commissioner for Human Rights to coordinate relevant United Nations education and public information programmes in the field of human rights,

Noting with appreciation the efforts undertaken so far by the Office of the High Commissioner to increase information-sharing in the area of human rights education through the development of a database and resource collection on human rights education and to disseminate human rights information through its web site[111] and its publications and external relations programmes,

Welcoming the initiative of the Office of the High Commissioner to develop further the project entitled "Assisting communities together", launched in 1998, supported by voluntary funds and designed to provide small grants to grass-roots and local organizations carrying out practical human rights activities,

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[109] A/51/506/Add.1, appendix.

[110] Resolution 43/128.

[111] www.unhchr.ch.

Welcoming also other United Nations public information activities in the field of human rights, including (a) the World Public Information Campaign on Human Rights and the implementation of and follow-up to the Vienna Declaration and Programme of Action,[112] (b) the project of the United Nations Educational, Scientific and Cultural Organization entitled "Towards a culture of peace", and (c) the Dakar Framework for Action, "Education for All", adopted at the World Education Forum, which, inter alia, reconfirmed the mandated role of the United Nations Educational, Scientific and Cultural Organization in coordinating Education for All partners and maintaining their collective momentum within the process of securing quality basic education,[113]

Recognizing the value of information and communication technologies in human rights education to promote dialogue and understanding of human rights, and in that context welcoming, inter alia, the "CyberSchoolBus"[114] and the United Nations Children's Fund "Voices of youth"[115] initiatives,

Recalling the mid-term global evaluation of progress made towards the achievement of the objectives of the Decade undertaken by the Office of the High Commissioner, in cooperation with all other principal actors in the Decade, which was presented in the relevant report of the High Commissioner to the General Assembly at its fifty-fifth session,[116]

1. *Takes note with appreciation* of the report of the United Nations High Commissioner for Human Rights on the United Nations Decade for Human Rights Education, 1995-2004,[117] and public information activities in the field of human rights;

2. *Urges* all Governments to promote the development of comprehensive, participatory and sustainable national strategies for human rights education and to establish and strengthen, as a priority in education policies, knowledge of human rights, in both its theoretical dimension and its practical application;

3. *Welcomes* the steps taken by Governments and intergovernmental and non-governmental organizations to implement the Plan of Action for the United Nations Decade for Human Rights Education, 1995-2004,[109] and to develop public information activities in the field of human rights, as indicated in the report of the High Commissioner;

4. *Urges* all Governments to contribute further to the implementation of the Plan of Action, in particular by:

(a) Encouraging the establishment, in accordance with national conditions, of broadly representative national committees for human rights education responsible for the development of comprehensive, effective and sustainable national plans of action for human rights education and information, taking into consideration the recommendations of the mid-term global evaluation of the Decade[116] and the guidelines for national plans of action for human rights education

[112] A/CONF.157/24 (Part I), chap. III.

[113] See *Final Report of the World Education Forum, Dakar, Senegal, 26-28 April 2000* (United Nations Educational, Scientific and Cultural Organization, Paris, 2000).

[114] See http://www.un.org/Pubs/CyberSchoolBus/humanrights.

[115] See www.unicef.org.

[116] See A/55/360.

[117] A/56/271.

developed by the Office of the United Nations High Commissioner for Human Rights;

(b) Encouraging, supporting and involving national and local non-governmental and community-based organizations in the implementation of their national plans of action;

(c) Initiating and developing cultural and educational programmes aimed at countering racism, racial discrimination, xenophobia and related intolerance, and supporting and implementing public information campaigns and specific training programmes in the field of human rights, as emphasized at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance;

5. *Encourages* Governments to consider, within their national plans of action for human rights education:

(a) The establishment of public access human rights resource and training centres capable of engaging in research, including the gender-sensitive training of trainers;

(b) The preparation, collection, translation and dissemination of human rights education and training materials;

(c) The organization of courses, conferences, workshops and public information campaigns and assistance in the implementation of internationally sponsored technical cooperation projects for human rights education and public information;

6. *Encourages* States, where such national public access human rights resource and training centres exist, to strengthen their capacity to support human rights education and public information programmes at the international, regional, national and local levels;

7. *Calls upon* Governments, in accordance with national conditions, to accord priority to the dissemination, in the relevant national local and indigenous languages, of the Universal Declaration of Human Rights,[107] the International Covenants on Human Rights[118] and other human rights instruments, human rights materials and training manuals, including information on human rights mechanisms and complaint procedures and reports of States parties submitted under international human rights treaties, and to provide information and education in those languages on the practical ways in which national and international institutions and procedures may be utilized to ensure the effective implementation of those instruments;

8. *Encourages* Governments to support further, through voluntary contributions, the education and public information efforts undertaken by the Office of the High Commissioner within the framework of the Plan of Action;

9. *Requests* the High Commissioner to continue to coordinate and harmonize human rights education and information strategies within the United Nations system, including the implementation of the Plan of Action, in cooperation, inter alia, with the United Nations Educational, Scientific and Cultural Organization, and to ensure maximum effectiveness and efficiency in the collection, use,

[118] Resolution 2200 A (XXI), annex.

processing, management and distribution of human rights information and educational materials, including through electronic means;

10. *Encourages* Governments to contribute to the further development of the web site of the Office of the High Commissioner, in particular with respect to the dissemination of human rights education materials and tools, and to continue and expand the publications and external relations programmes of the Office;

11. *Encourages* the Office of the High Commissioner to continue to support national capacities for human rights education and information through its technical cooperation programme in the field of human rights, including the organization of training courses and peer education initiatives and the development of targeted training materials for professional audiences, as well as the dissemination of human rights information materials as a component of technical cooperation projects, to further develop its databases and resource collection on human rights education and to continue to monitor developments in human rights education;

12. *Urges* the Department of Public Information of the Secretariat to continue to utilize United Nations information centres for the timely dissemination, within their designated areas of activity, of basic information, reference and audio-visual materials on human rights and fundamental freedoms, including the reports of States parties submitted under international human rights instruments, and to that end to ensure that the information centres are supplied with adequate quantities of those materials;

13. *Stresses* the need for close collaboration between the Office of the High Commissioner and the Department of Public Information in the implementation of the Plan of Action and the World Public Information Campaign on Human Rights,[110] and the need to harmonize their activities with those of other international organizations, such as the United Nations Educational, Scientific and Cultural Organization with regard to its project entitled "Towards a culture of peace" and the International Committee of the Red Cross, and relevant non-governmental organizations with regard to the dissemination of information on international humanitarian law;

14. *Invites* the specialized agencies and relevant United Nations programmes and funds to continue to contribute, within their respective spheres of competence, to the implementation of the Plan of Action and the World Public Information Campaign and to cooperate and coordinate with each other and with the Office of the High Commissioner in that regard;

15. *Encourages* the relevant organs, bodies and agencies of the United Nations system, all human rights bodies of the United Nations system, including the Office of the United Nations High Commissioner for Human Rights and the Office of the United Nations High Commissioner for Refugees, to provide training in human rights for all United Nations personnel and officials;

16. *Encourages* the human rights treaty bodies, when examining reports of States parties, to place emphasis on the obligations of States parties in the area of human rights education and to reflect that emphasis in their concluding observations;

17. *Calls upon* international, regional and national non-governmental organizations and intergovernmental organizations, in particular those concerned

with children and youth, women, labour, development, food, housing, education, health care and the environment, as well as all other social justice groups, human rights advocates, educators, religious organizations, the private sector and the media, to undertake specific activities of formal, non-formal and informal education, including cultural events, alone and in cooperation with the Office of the United Nations High Commissioner for Human Rights, in implementing the Plan of Action;

18. *Welcomes*, in that context, initiatives to include civil society, non-governmental organizations, children and youth in national delegations to world conferences, summits and other meetings, as well as the work of non-governmental organizations and intergovernmental agencies in organizing parallel non-governmental organization and youth satellite meetings, as an important component of human rights education;

19. *Encourages* Governments, regional organizations and intergovernmental and non-governmental organizations to explore the potential support and contribution to human rights education of all relevant partners, including the private sector, development, trade and financial institutions and the media, and to seek their cooperation in the development of human rights education strategies;

20. *Encourages* regional organizations to develop strategies for the wider distribution of materials on human rights education through regional networks and to develop region-specific programmes to maximize the participation of national entities, whether governmental or non-governmental, in programmes on human rights education;

21. *Encourages* intergovernmental organizations to assist, upon request, collaboration between governmental institutions and non-governmental organizations at the national level;

22. *Requests* the Office of the High Commissioner to continue the implementation of and to expand the "Assisting communities together" project and to consider other appropriate ways and means to support human rights education activities, including those undertaken by non-governmental organizations;

23. *Requests* the High Commissioner to bring the present resolution to the attention of all members of the international community and of intergovernmental and non-governmental organizations concerned with human rights education and public information, and to report to the General Assembly at its fifty-seventh session on the progress made towards the achievement of the objectives of the Decade under the item entitled "Human rights questions".

Draft resolution XXII
Comprehensive and integral international convention to promote and protect the rights and dignity of persons with disabilities

The General Assembly,

Reaffirming the principles and purposes of the Charter of the United Nations and the obligations contained in the relevant human rights instruments,

Reaffirming also that the Universal Declaration of Human Rights[119] proclaims that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling its resolutions 37/52 of 3 December 1982, by which it adopted the World Programme of Action concerning Disabled Persons,[120] 48/96 of 20 December 1993, by which it adopted the Standard Rules on Equalization of Opportunities for Persons with Disabilities, and 54/121 of 17 December 1999,

Recalling also Economic and Social Council resolution 2000/10 of 27 July 2000 on further promotion of equalization of opportunities by, for and with persons with disabilities, as well as other relevant resolutions of the General Assembly, the Economic and Social Council and the functional commissions of the Council,

Reaffirming the outcomes of the major United Nations conferences and summits and their respective follow-up reviews, in particular as they pertain to the promotion of the rights and well-being of persons with disabilities on an equal and participatory basis,

Noting with satisfaction that the Standard Rules on the Equalization of Opportunities for Persons with Disabilities play an important role in influencing the promotion, formulation and evaluation of policies, plans, programmes and actions at the national, regional and international levels to further the equalization of opportunities by, for and with persons with disabilities,

Recognizing that, despite different efforts made to increase cooperation and integration, and increasing disability awareness and sensitivity to disability issues since the adoption of the World Programme of Action concerning Disabled Persons by Governments, bodies and relevant organizations of the United Nations system and non-governmental organizations, these efforts have not been sufficient to promote full and effective participation and opportunities for persons with disabilities in economic, social, cultural and political life,

Encouraged by the increasing interest of the international community in the promotion and protection of the rights and dignity of persons with disabilities in the world under a comprehensive and integral approach,

Deeply concerned about the disadvantaged and vulnerable situation faced by six hundred million persons with disabilities around the world, and conscious of the need to advance in the elaboration of an international instrument,

Looking forward to the final reports of the Special Rapporteur of the Commission for Social Development on monitoring the implementation of the Standard Rules for the Equalization of Opportunities for Persons with Disabilities to be presented to that Commission, and also the outcome of the study currently being undertaken pursuant to Commission of Human Rights resolution 2000/51 of 25

[119] Resolution 217 A (III).

[120] A/37/351/Add.1 and Corr.1, annex, sect. VIII, recommendation I (IV).

April 2000[121] on the adequacy of instruments in respect of the protection and monitoring of the human rights of persons with disabilities,

Taking into account the recommendation of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance to the General Assembly to consider elaborating a comprehensive and integral international convention to protect and promote the rights and dignity of persons with disabilities, including special provisions that address the discriminatory practices and treatment that affect them,

1. *Decides* to establish an Ad Hoc Committee open to the participation of all Member States and observers of the United Nations to consider proposals for a comprehensive and integral international convention to protect and promote the rights and dignity of persons with disabilities, based on the holistic approach in the work done in the field of social development, human rights and non-discrimination and taking into account the recommendations of the Commission on Human Rights and the Commission for Social Development;

2. *Decides also* that, prior to the fifty-seventh session of the General Assembly the Ad Hoc Committee shall hold at least one meeting of a duration of ten working days;

3. *Invites* States, relevant bodies and organizations of the United Nations system, including relevant human rights treaty bodies, the regional commissions, the Special Rapporteur of the Commission for Social Development on monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, as well as intergovernmental and non-governmental organizations with an interest in the matter to make contributions to the work entrusted to the Ad Hoc Committee, based on the practice of the United Nations;

4. *Requests* the Secretary-General, with the support of the Office of the United Nations High Commissioner for Human Rights and the Division for Social Policy and Development of the Secretariat, to submit to the Ad Hoc Committee prior to its first session a compilation of existing international legal instruments, documents and programmes which directly or indirectly address the situation of persons with disabilities, to include, inter alia, those of conferences, summits, meetings or international or regional seminars convened by the United Nations and intergovernmental and non-governmental organizations;

5. *Also requests* the Secretary-General to provide the Ad Hoc Committee with the outcome of the study undertaken pursuant to Commission on Human Rights resolution 2000/51 and the final reports that will be presented by the Special Rapporteur of the Commission for Social Development on disability to that Commission;

6. *Calls upon* States, in cooperation with regional commissions, the United Nations High Commissioner for Human Rights, the Division for Social Policy and Development of the Secretariat and the Special Rapporteur of the Commission for Social Development on monitoring the implementation of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities, to hold regional meetings or seminars to contribute to the work of the Ad Hoc Committee by making

[121] See *Official Records of the Economic and Social Council, 2000, Supplement No. 3* (E/2000/23), chap. II, sect. A.

recommendations regarding the content and practical measures that should be considered in the international convention;

7. *Requests* the Secretary-General to provide the Ad Hoc Committee with the facilities necessary for the performance of its work;

8. *Also requests* the Secretary-General to submit a comprehensive report to the General Assembly at its fifty-seventh session on the progress made by the Ad Hoc Committee.

Draft resolution XXIII
Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights[122] and the International Covenants on Human Rights,[123]

Recalling the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, signed in Paris on 23 October 1991,[124] including part III thereof, relating to human rights,

Recalling also its resolution 55/95 of 4 December 2000 and Commission on Human Rights resolution 2001/82 of 25 April 2001[125] and previous relevant resolutions,

Recognizing that the tragic history of Cambodia requires special measures to ensure the protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991,

Desiring that the international community continue to respond positively to assisting efforts to investigate the tragic history of Cambodia, including responsibility for past international crimes, such as acts of genocide and crimes against humanity during the regime of Democratic Kampuchea from 1975 to 1979,

Bearing in mind the request made in June 1997 by the Cambodian authorities for assistance in responding to past serious violations of Cambodian and international law, the letter dated 15 March 1999 from the Secretary-General to the President of the General Assembly and the President of the Security Council[126] and the report of the Group of Experts appointed by the Secretary-General annexed thereto, and the discussions held between the Government of Cambodia and the United Nations Secretariat on standards and procedures for bringing to justice the Khmer Rouge leaders most responsible for the most serious violations of human rights in the years 1975 to 1979,

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[122] Resolution 217 A (III).

[123] Resolution 2200 A (XXI), annex.

[124] A/46/608-S/23177.

[125] See *Official Records of the Economic and Social Council, 2001, Supplement No. 23* (E/2001/23), chap. II, sect. A.

[126] A/53/850-S/1999/231.

Recognizing the legitimate concern of the Government and people of Cambodia in the pursuit of internationally accepted principles of justice and of national reconciliation,

Recognizing also that the accountability of individual perpetrators of grave human rights violations is one of the central elements of any effective remedy for victims of human rights violations and a key factor in ensuring a fair and equitable justice system and, ultimately, reconciliation and stability within a State,

Welcoming the continuing role of the United Nations High Commissioner for Human Rights in the promotion and protection of human rights in Cambodia,

I
Support of and cooperation with the United Nations

1. *Requests* the Secretary-General, through his Special Representative for human rights in Cambodia, in collaboration with the office in Cambodia of the United Nations High Commissioner for Human Rights, to assist the Government of Cambodia in ensuring the protection of the human rights of all people in Cambodia and to ensure adequate resources for the continued functioning of the operational presence in Cambodia of the Office of the United Nations High Commissioner for Human Rights and to enable the Special Representative to continue to fulfil his tasks expeditiously;

2. *Welcomes* the report of the Secretary-General on the role and achievements of the Office of the United Nations High Commissioner for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights;[127]

3. *Welcomes also* the report of the Special Representative,[128] commends the Government of Cambodia on its openness and spirit of cooperation during the visits of the Special Representative, encourages the Government to continue its cooperation at all levels of government, supports the appeals of the Government of Cambodia and the Special Representative to increase international assistance to Cambodia and to continue working towards the reduction of poverty, commends the international community for the interest and support demonstrated at the Consultative Group Meeting on Cambodia, held in Tokyo on 12 and 13 June 2001, and encourages donor countries and other relevant parties to follow up their pledges of assistance and commitments;

4. *Requests* the Government of Cambodia to continue to cooperate with the Office of the United Nations High Commissioner for Human Rights to resolve outstanding issues in accordance with international standards so that both parties, without further delay, can sign the memorandum of understanding for the extension of the mandate of the office in Cambodia of the High Commissioner, notes with regret the delays encountered in the process thus far, and encourages the Government of Cambodia to continue to cooperate with the office;

5. *Notes with appreciation* the use by the Secretary-General of the United Nations Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities of the office in Cambodia of the High

[127] A/56/230.
[128] See A/56/209.

Commissioner, as defined in resolutions of the General Assembly and the Commission on Human Rights, and invites Governments, intergovernmental and non-governmental organizations, foundations and individuals to consider contributing to the Trust Fund;

II
Administrative, legislative and judicial reform

1. *Notes with concern* the continued problems related to the rule of law and the functioning of the judiciary resulting from, inter alia, corruption, including interference by the executive with the independence of the judiciary, welcomes the continued commitment of the Government to reforming the judiciary, and urges the Government to continue to take the necessary measures to promote the independence, impartiality and effectiveness of the Supreme Council of the Magistracy and the judicial system as a whole and to increase its budgetary allocation to the judiciary, which is expected to result, inter alia, in a decrease in the number of excessive pre-trial detentions;

2. *Urges* the Government of Cambodia to continue its efforts towards the early adoption of the laws and codes that are essential components of the basic legal framework, including the draft statute on magistrates, a penal code, a code of criminal procedures, a new civil code and a code of civil procedure, as well as its efforts to reform the administration of justice and to enhance the training of judges and lawyers, appeals to the international community to assist the Government to this end, and welcomes, inter alia, the drafting of the forestry and fishery laws;

3. *Welcomes* the enactment of the Land Law, notes with concern the problems related to land, inter alia, land grabbing, forced evictions and further displacement, and urges the Government of Cambodia to continue its efforts to implement an effective, efficient and transparent land registration system, as envisaged in the Law, to solve these problems;

4. *Welcomes also* the efforts of the Government of Cambodia to implement its reform programme, including the adoption of the Governance Action Plan, encourages the timely and effective implementation of the Plan, and appeals to the international community to assist the Government in its efforts towards that end;

5. *Expresses serious concern* that the situation of impunity still exists in Cambodia, recognizes the commitment and efforts of the Government of Cambodia to respond to this problem, calls upon the Government, as a matter of critical priority, to take further measures to investigate urgently and to prosecute, in accordance with due process of law and international human rights standards, all of those who have perpetrated serious crimes, including violations of human rights, and encourages the international community to provide means, such as technical assistance or expertise, to help the Government to meet its own commitments to bring perpetrators to justice more effectively;

6. *Welcomes* the efforts of the Government of Cambodia to demobilize its armed forces, including the launching of the first part of the demobilization programme, encourages the Government to implement the contents of the White Paper on National Defence and to continue to carry out effective reform, including the implementation of a full-scale demobilization programme that includes the disarming of demobilized soldiers based on the experience gained from a pilot

project, aimed towards professional and impartial police and military forces, and invites the international community to continue to assist the Government to this end;

7. *Welcomes also* the enactment of the Law on the Administration and Management of Communes/Sangkat and the Law on the Election of Commune/Sangkat Councils and the elections scheduled for 3 February 2002; strongly urges the Government of Cambodia, including at local and provincial levels, to conduct free and fair elections without violence to any party and encourages the international community to assist the Government to this end; strongly urges also all political parties to participate in the election in a democratic and peaceful manner and, in this regard, welcomes the agreement of the two parties in power to abstain from violence; urges the Government of Cambodia to investigate thoroughly any instances of violence and intimidation that occur; and stresses the importance of independent and transparent national, provincial and commune election committees;

8. *Notes with serious concern* the prison conditions in Cambodia, notes with interest some important efforts to improve the prison system, recommends the continuation of international assistance to improve the material conditions of detention, and calls upon the Government of Cambodia to take further measures to improve the conditions of detention, to provide proper health care to detainees, including by strengthening the coordinating role of the Prison Health Department with the Ministry of Health, provincial authorities and non-governmental organizations working in this field, and to prevent any form of torture;

III
Human rights violations and violence

1. *Expresses grave concern* about the continued violations of human rights, including torture, excessive pre-trial detention, violation of labour rights and forced evictions, as well as political violence, police involvement in violence and the apparent lack of protection from mob killings, as detailed in the reports of the Special Representative, notes some progress made by the Government of Cambodia in addressing these issues, and urges the Government to take all necessary measures to prevent such violations;

2. *Urges* an end to racial violence against and vilification of ethnic minorities, and urges the Government of Cambodia to take all steps to prevent such violence, as well as to meet its obligations as a party to the International Convention on the Elimination of All Forms of Racial Discrimination,[129] inter alia, by seeking technical assistance;

IV
Khmer Rouge tribunal

1. *Reaffirms* that the most serious human rights violations in Cambodia in recent history have been committed by the Khmer Rouge, and acknowledges that the final collapse of the Khmer Rouge and the continued efforts of the Government of Cambodia have paved the way for the restoration of peace, stability and national

[129] Resolution 2106 A (XX), annex.

reconciliation in Cambodia and the investigation and prosecution of the leaders of the Khmer Rouge;

2. *Welcomes* the promulgation of the Law on the Establishment of Extraordinary Chambers in the Courts of Cambodia for the Prosecution of Crimes Committed during the Period of Democratic Kampuchea, noting with appreciation the general provisions and competence of the Law and its provision for a role for the United Nations, appeals to the Government of Cambodia to ensure that the senior leaders of Democratic Kampuchea and those who were most responsible for the crimes and serious violations of Cambodian penal law, international humanitarian law and custom and international conventions recognized by Cambodia are brought to trial in accordance with international standards of justice, fairness and due process of law, encourages the Government to continue to cooperate with the United Nations on this issue, welcomes the efforts of the United Nations Secretariat and the international community in assisting the Government to this end, urges the Government and the United Nations to conclude an agreement without delay so that the Extraordinary Chambers can start to function promptly, and appeals to the international community to provide assistance in this regard, including financial and personnel support to the Chambers;

V
Protection of women and children

1. *Welcomes* the progress made in improving the status of women, and urges the Government of Cambodia to take appropriate measures to eliminate all forms of discrimination against women, to combat violence against women in all its forms and to take all steps to meet its obligations as a party to the Convention on the Elimination of All Forms of Discrimination against Women,[130] including by seeking technical assistance;

2. *Notes with grave concern* the continued and growing phenomenon of trafficking in and sexual exploitation of women and children and the increasing incidence of HIV/AIDS, and requests the Government of Cambodia comprehensively to address these problems and their underlying causes;

3. *Urges* the Government of Cambodia to further improve the health conditions of children and their access to education, to provide and promote free and accessible birth registration and to establish an effective juvenile justice system that is consistent with international human rights standards, and invites the international community to continue to assist the Government to this end;

4. *Notes with serious concern* the problem of child labour in its worst forms, calls upon the Government of Cambodia to take immediate and effective measures to protect children from economic exploitation and from performing any work that is likely to be hazardous, to interfere with their education, or be harmful to their health, safety or morals, inter alia, by enforcing Cambodian laws on child labour, the existing Labour Law and anti-trafficking law provisions on behalf of children and the prosecution of those who violate these laws, invites the International Labour Organization to continue to extend the necessary assistance in this regard, and encourages the Government of Cambodia to consider ratifying the International Labour Organization Convention concerning the Prohibition and

[130] Resolution 34/180, annex.

Immediate Action for the Elimination of the Worst Forms of Child Labour, Convention No. 182, adopted in 1999;

VI
Enhancement of human rights

1. *Recognizes* the importance of human rights education and training in Cambodia, commends the efforts of the Government of Cambodia, the Office of the United Nations High Commissioner for Human Rights and civil society in this field, encourages further strengthening and wider dissemination of these programmes, and invites the international community to continue to assist these efforts;

2. *Commends* the vital and valuable role played by non-governmental organizations in Cambodia, inter alia, in the development of civil society, and encourages the Government of Cambodia to ensure the protection of those human rights organizations and their members and to continue to work closely and cooperatively with non-governmental organizations in efforts to strengthen and uphold human rights in Cambodia, in particular in the lead-up to the communal elections;

3. *Notes with interest* the activities undertaken by the governmental Cambodian Human Rights Committee, the National Assembly Commission on Human Rights and Reception of Complaints and the Senate Commission on Human Rights and Reception of Complaints, stresses the importance of further promoting trust in those institutions and enhancing their activities, and invites the international community to extend its technical assistance to this end;

4. *Encourages* the Government of Cambodia in its efforts to establish an independent national mechanism for the promotion and protection of human rights, which should be based on the principles relating to the status of national institutions for the promotion and protection of human rights, known as the Paris principles,[131] working in close cooperation with civil society, and requests the Office of the High Commissioner to continue to provide advice and technical assistance in these efforts;

5. *Requests* the Government of Cambodia to follow up the recommendations made by the international human rights treaty bodies regarding the reports submitted by the Government, calls upon the Government to meet its reporting obligations under all international human rights instruments to which Cambodia is a party, and requests the office in Cambodia of the High Commissioner to continue to provide assistance in this regard;

VII
Land mines and small arms

1. *Expresses grave concern* at the devastating consequences and destabilizing effects of anti-personnel landmines on Cambodian society, welcomes the progress made by the Government of Cambodia in the removal of these mines and for victim assistance and mine-awareness programmes, encourages the Government to continue its efforts in this regard, and commends donor countries

[131] See resolution 48/134, annex.

and other actors of the international community for their contributions and assistance to mine action;

2. *Expresses concern* at the substantial number of small arms still existing in society, commends the progress made by the Government of Cambodia in this regard and the cooperation of the international community in dealing with issues of small arms, and encourages the Government to cooperate in regional and international efforts to reduce the number of illicit small arms, including implementation of the existing programmes;

VIII
Conclusion

1. *Requests* the Secretary-General to report to the General Assembly at its fifty-seventh session on the role and achievements of the Office of the High Commissioner in assisting the Government and the people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;

2. *Decides* to continue its consideration of the situation of human rights in Cambodia at its fifty-seventh session under the item entitled "Human rights questions".

Draft resolution XXIV
Subregional Centre for Human Rights and Democracy in Central Africa

The General Assembly,

Recalling its resolution 55/105 of 4 December 2000 concerning regional arrangements for the promotion and protection of human rights,

Recalling also its resolutions 55/34 B of 20 November 2000 and 55/233 of 23 December 2000 and section III of its resolution 55/234 of 23 December 2000,

Recalling further the report of the United Nations High Commissioner for Human Rights,[132]

1. *Welcomes* the creation of the Subregional Centre for Human Rights and Democracy in Central Africa at Yaoundé;

2. *Notes with satisfaction* the support given to the establishment of the Centre by the host country;

3. *Invites* the Office of the United Nations High Commissioner for Human Rights, under the direction of the Secretary-General, to provide appropriate assistance to the Centre to ensure its efficiency and smooth functioning in accordance with section III of its resolution 55/234;

4. *Requests* the Secretary-General to submit to it at its fifty-seventh session a report on the implementation of the present resolution.

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[132] A/56/36/Add.10.

Draft resolution XXV
Protection of migrants

The General Assembly,

Recalling its resolution 55/92 of 4 December 2000,

Considering that the Universal Declaration of Human Rights[133] proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set out therein, without distinction of any kind, in particular as to race, colour or national origin,

Reaffirming the provisions concerning migrants adopted by the World Conference on Human Rights,[134] the International Conference on Population and Development,[135] the World Summit for Social Development[136] and the Fourth World Conference on Women,[137]

Taking note of the positive treatment of the issue of migrants at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and recognizing the economic, social and cultural contributions of migrants to the countries of destination and origin,

Bearing in mind the report of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants,[138]

Taking note of Commission on Human Rights resolutions 2001/52, on the human rights of migrants, and 2001/56, on the protection of migrants and their families, of 24 April 2001,[139]

Recalling its resolution 40/144 of 13 December 1985, by which it approved the Declaration on the Human Rights of Individuals Who are not Nationals of the Country in which They Live,

Recognizing the positive contributions that migrants frequently make, including through their eventual integration into their host society,

Bearing in mind the situation of vulnerability in which migrants frequently find themselves, owing, inter alia, to their absence from their States of origin and to the difficulties they encounter because of differences of language, custom and culture, as well as the economic and social difficulties and obstacles to the return to their States of origin of migrants who are non-documented or in an irregular situation,

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[133] Resolution 217 A (III).

[134] See A/CONF.157/24 (Part I), chap. III.

[135] See *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.

[136] See *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

[137] See *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.

[138] E/CN.4/2001/83 and Add.1.

[139] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

Bearing in mind also the need for a focused and consistent approach towards migrants as a specific vulnerable group, in particular migrant women and children,

Deeply concerned at the manifestations of violence, racism, xenophobia and other forms of discrimination and inhuman and degrading treatment against migrants, especially women and children, in different parts of the world,

Underlining the importance of the creation of conditions that foster greater harmony between migrant workers and the rest of the society of the States in which they reside, with the aim of eliminating the growing manifestations of racism and xenophobia perpetrated in segments of many societies by individuals or groups against migrants,

Encouraged by the increasing interest of the international community in the effective and full protection of the human rights of all migrants, and underlining the need to make further efforts to ensure respect for the human rights and fundamental freedoms of all migrants,

Noting the efforts made by States to penalize the international trafficking of migrants and to protect the victims of this illegal activity,

Taking note of advisory opinion OC-16/99, issued by the Inter-American Court of Human Rights on 1 October 1999, on the right to information on consular assistance in the framework of the guarantees of the due process of law, in the case of foreign nationals detained by the authorities of a receiving State,

1. *Welcomes* the renewed commitment made in the United Nations Millennium Declaration[140] to take measures to ensure respect for and protection of the human rights of migrants, migrant workers and their families, to eliminate the increasing acts of racism and xenophobia in many societies and to promote greater harmony and tolerance in all societies;

2. *Requests* all Member States, in conformity with their respective constitutional systems, effectively to promote and protect the human rights of all migrants, in conformity with the Universal Declaration of Human Rights[133] and the international instruments to which they are party, which may include the International Covenants on Human Rights,[141] the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,[142] the International Convention on the Elimination of All Forms of Racial Discrimination,[143] the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[144] the Convention on the Elimination of All Forms of Discrimination against Women,[145] the Convention on the Rights of the Child[146] and other applicable international human rights instruments;

3. *Strongly condemns* all forms of racial discrimination and xenophobia with regard to access to employment, vocational training, housing, schooling, health services and social services, as well as services intended for use by the public, and

[140] See resolution 55/2.
[141] Resolution 2200 A (XXI), annex.
[142] Resolution 39/46, annex.
[143] Resolution 2106 A (XX), annex.
[144] Resolution 45/158, annex.
[145] Resolution 34/180, annex.
[146] Resolution 44/25, annex.

welcomes the active role played by governmental and non-governmental organizations in combating racism and assisting individual victims of racist acts, including migrant victims;

4. *Calls upon* all States to review and, where necessary, revise immigration policies with a view to eliminating all discriminatory practices against migrants and to provide specialized training for government policy-making and law enforcement, immigration and other concerned officials, thus underlining the importance of effective action to create conditions that foster greater harmony and tolerance within societies;

5. *Reiterates* the need for all States parties to protect fully the universally recognized human rights of migrants, especially women and children, regardless of their legal status, and to treat them humanely, in particular with regard to assistance and protection;

6. *Reaffirms emphatically* the duty of States to ensure full respect for and observance of the 1963 Vienna Convention on Consular Relations,[147] particularly with regard to the right of foreign nationals, regardless of their immigration status, to communicate with a consular official of their own State in the case of detention, and the obligation of the State in whose territory the detention occurs to inform the foreign national of that right;

7. *Reaffirms* the responsibility of Governments to safeguard and protect the rights of migrants against illegal or violent acts, in particular acts of racial discrimination and crimes perpetrated with racist or xenophobic motivation by individuals or groups, and urges them to reinforce measures in this regard;

8. *Urges* all States to adopt effective measures to put an end to the arbitrary arrest and detention of migrants, including by individuals or groups;

9. *Expresses* its support for the work of the Special Rapporteur of the Commission on Human Rights on the human rights of migrants, and requests her to take into account the recommendations contained in the Declaration and Programme of Action adopted by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in the performance of her mandate, tasks and duties;

10. *Encourages* Member States that have not yet done so to enact domestic criminal legislation to combat international trafficking of migrants, which should take into account, in particular, trafficking that endangers the lives of migrants or includes different forms of servitude or exploitation, such as any form of debt bondage or sexual or labour exploitation, and to strengthen international cooperation to combat such trafficking;

11. *Encourages* all Governments to remove obstacles that may prevent the safe, unrestricted and expeditious transfer of earnings, assets and pensions of migrants to their country of origin or to any other countries, in conformity with applicable legislation, and to consider, as appropriate, measures to solve other problems that may impede such transfers;

12. *Welcomes* immigration programmes, adopted by some countries, that allow migrants to integrate fully into the host countries, facilitate family

[147] United Nations, *Treaty Series*, vol. 596, No. 8638.

reunification and promote a harmonious and tolerant environment, and encourages States to consider the possibility of adopting these types of programmes;

13. *Calls upon* all States to protect the human rights of migrant children, in particular unaccompanied migrant children, ensuring that the best interests of the children and the importance of reuniting them with their parents, when possible and appropriate, are the paramount consideration, and encourages the relevant United Nations bodies, within the framework of their respective mandates, to pay special attention to the conditions of migrant children in all States and, where necessary, to put forward recommendations for strengthening their protection;

14. *Welcomes* the proclamation of 18 December as International Migrants Day and the invitation to Member States and intergovernmental and non-governmental organizations to observe it through, inter alia, the dissemination of information on the human rights and fundamental freedoms of migrants and on their economic, social and cultural contributions to their host and home countries, the sharing of experience and the design of actions to ensure their protection;

15. *Encourages* States to participate in regional dialogues on problems of migration, and invites them to design and implement programmes with States of other regions in order to protect the rights of migrants;

16. *Requests* the Secretary-General to submit to the General Assembly at its fifty-seventh session a report on the implementation of the present resolution under the sub-item entitled "Human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms".